

Organization for Security and Co-operation in Europe Permanent Council PC.DEC/1459/Corr.1¹ 29 June 2023

Original: ENGLISH

1430th Plenary Meeting PC Journal No. 1430, Agenda item 1

DECISION No. 1459 EXTENSION OF THE MANDATE OF THE OSCE MISSION TO MOLDOVA

The Permanent Council,

Decides to extend the mandate of the OSCE Mission to Moldova until 31 December 2023.

¹ Includes a correction to attachment 5.

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 Moldova:

"In connection with the adoption of the Permanent Council decision on the extension of the mandate of the OSCE Mission to Moldova for six months, the delegation of the Republic of Moldova would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure:

The Republic of Moldova deeply regrets that it was not possible to extend the mandate of the OSCE Mission to Moldova for one year due to the disagreement of one participating State.

We would like to recall Ministerial Council Decision No. 18/06 of 5 December 2006 on strengthening the effectiveness of OSCE executive structures, according to which the Ministerial Council decided that 'when the participating State hosting a field operation concurs, the mandate for field operations should be of a one year duration'.

Moldova, as the host country of the Mission, would like to see a one-year extension. And it should not be for any other OSCE participating State to impose an alternative duration. In this regard, we call on all participating States to strictly follow their commitments.

That being said, we underscore the difficulties of developing a long-term approach by the Mission under such pressing administrative and financial conditions of only a six-month mandate period. This will only add an unnecessary burden to the Mission's activity. To produce results a mission should be given a reasonable time frame and space.

We request that this interpretative statement be attached to the decision."

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

The delegation of Sweden, 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 Mission to Moldova, the European Union (EU) would like to make the following interpretative statement under the relevant provisions of the OSCE Rules of Procedure:

The EU deplores the isolated position of the Russian Federation to limit the extension of the mandate of the OSCE Mission to Moldova to six months instead of one year, which is the rule. Brussels OSCE Ministerial Council Decision No. 18/06 reaffirmed that the mandate for field operations should be of a one-year duration when the participating State hosting the field operation concurs.

We consider that a six-month extension represents a very heavy administrative burden for the Mission and we do not see any reason to render the functioning of the Mission even more challenging in the current very difficult circumstances, when the Republic of Moldova is facing the consequences of the Russian Federation's ongoing war of aggression against Ukraine.

We commend the Head of Mission and her team for the outstanding work they carry out to implement the mandate of the Mission, which has continued in spite of the present challenging circumstances. We recall our strong support for the Mission's work in facilitating engagement and regular dialogue between the sides in the context of achieving a lasting comprehensive political settlement of the Transnistrian conflict, based on respect for the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognized borders with a special status for Transnistria.

It is essential that the Mission continues to monitor the situation in the security zone and on the border with Ukraine, and reports without delay on any incidents occurring there. We reiterate our appeal for strict adherence to the rules established by the Joint Control Commission in the security zone, and for respect for the Mission's mandate and for the free movement of Mission members.

Having in mind the importance of allowing the OSCE Mission to Moldova to continue its invaluable work, and taking into account the position of the host country, the EU

decides to join the consensus to extend the mandate by six months on an exceptional basis. This decision does not set a precedent for any future decisions of similar nature.

We call on Russia to demonstrate a sense of responsibility, as a participating State in this Organization, and return to full one-year renewals of the Mission's mandate, as it is the rule.

We request that this interpretative statement be appended to the decision and included in the journal of today's meeting.

The candidate countries North Macedonia¹, Montenegro¹, Serbia¹, Albania¹, Ukraine, the Republic of Moldova, and Bosnia and Herzegovina¹, the potential candidate country Georgia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Andorra and San Marino align themselves with this statement."

¹ North Macedonia, Montenegro, Serbia, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

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:

"Madam Chairperson,

Regarding the decision of the Permanent Council on the extension of the mandate of the OSCE Mission to Moldova, Canada would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure:

Canada regrets that one participating State has blocked consensus on extending the mandate of the OSCE Mission to Moldova for the regular one-year term. We have joined consensus on this irregular six-month extension, but are disappointed the Russian Federation has once again groundlessly and recklessly prioritized its narrow national interest to undermine the efficiency and effectiveness of our Organization, and broader European security.

Canada continues to strongly support the mandate of the OSCE Mission to Moldova. Russia's war against Ukraine has already brought significant hardship to Moldova. We sincerely hope the Russian Federation does not plan to continue this disruptive path with regards to the renewal of the mission's mandate in the future and that the mandate of the OSCE Mission to Moldova will be renewed for the regular one-year term in December 2023. This would not only be in line with Ministerial Council Decision No. 18/06 but also with the wishes of the host country.

Separately to this, I would also like to express Canada's full confidence in the field mission to assist Moldova in implementing our shared commitments in extremely difficult circumstances.

Canada requests that this statement be attached to the decision.

Thank you."

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 the United States of America:

"In connection with the Permanent Council decision just adopted on the extension of the mandate of the OSCE Mission to Moldova, the United States would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

The United States expresses deep disappointment at the Russian Federation's unwillingness to join consensus on extending the mandate of the OSCE Mission to Moldova for a full year. The United States recalls Ministerial Council Decision No. 18/06 on further strengthening the effectiveness of OSCE executive structures and reminds Russia of its commitment to that decision and to the principle that 'when the participating State hosting a field operation concurs, the mandate for field operations should be of a one year duration.' Russia's refusal to stand by that commitment is yet one more example of its attempting to undermine the critical work of this Organization and its field missions.

Russia's obstruction seems designed to hamper the OSCE and hurt the Moldovan Mission's staff, who are doing their very best under incredibly difficult circumstances. Let me be clear: the United States rejects any notion this six-month extension will set a precedent for future mandate negotiations. In accordance with Ministerial Council Decision No. 18/06, the Mission's mandate is to be brought in line with the yearly OSCE cycle.

Unfortunately, this latest move by Russia is only the most recent among a growing number of actions showing the Kremlin's contempt of OSCE commitments. Russia's blatant unlawful use of force against and violation of the territorial integrity of Ukraine and Georgia directly contravene the Helsinki Final Act and violate international law, including the United Nations Charter. Russia's continuing to station forces in Moldova without Moldova's consent is a further contravention of its commitments.

The United States continues to value the critical work of the OSCE Mission to Moldova to facilitate a lasting and comprehensive settlement process. The Mission's efforts contribute to all three dimensions of security. Due to Russia's obstruction, we are adding another burden onto Mission staff who are already trying to conduct programmes in difficult circumstances due to Russia's aggression against Moldova's neighbour Ukraine. The United States supports Moldova's sovereignty and territorial integrity within its internationally recognized borders and a comprehensive settlement of the Transnistria conflict with a special status for Transnistria that fully guarantees the human, political, economic, and social rights of its population. The United States will continue to assist Moldova on its chosen path towards democratic reform and further European integration.

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

PC.DEC/1459/Corr.1¹ 29 June 2023 Attachment 5

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 the United Kingdom:

"Thank you, Madam Chairperson, and I would like to start by thanking our Chairperson-in-Office for holding consultations with relevant parties on this issue and for your leadership in finding a way forward under challenging circumstances.

In connection with the Permanent Council decision just adopted on the extension of the mandate of the OSCE Mission to Moldova, the United Kingdom would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

The United Kingdom underlines our strong and resolute support for the OSCE Mission to Moldova. We greatly value its work, and deeply regretted Russia's isolated position – as a participating State that does not host the Mission – not to join consensus to allow the mandate to be extended for a full year during the renewal in December 2022. Our strong preference was then, and remains now, to extend the mandate for 12 months in line with Ministerial Council Decision No. 18/06. This decision on strengthening the effectiveness of OSCE structures, which ministers from all participating States agreed, sets out that when the participating State hosting a field operation concurs, the mandate for the operation should be of one-year duration.

This month, the Russian Federation has once again held up agreement on this technical decision and prevented a full 12-month extension. Let me be clear, we are agreeing to another six-month extension because we support the work of the Mission, which continues despite the very difficult circumstances, including those created by Russia's illegal invasion of Ukraine. We are grateful to all members of the Mission for their commitment and hard work. However, I would like to underline the United Kingdom's concerns that six-month extensions do not allow proper, adequate planning. A 12-month mandate would allow the Mission to clearly plan its activities across the year and would ensure predictability, certainty, and sustainability. A stable mission is a stronger mission that can better deliver on its conflict mediation mandate for the stability of the region – and the people on both banks of the Nistru river. We therefore urge the Russian Federation to show support to the Mission and its host country by agreeing to a 12-month mandate renewal in December.

I ask that this statement be attached to the decision and to the journal of the day.

Thank you, Madam Chairperson."

Includes a correction to the text.

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:

"The Russian Federation has joined the consensus regarding the Permanent Council decision on the extension of the mandate of the OSCE Mission to Moldova until 31 December 2023 under certain conditions. We take the position that in the coming period all efforts, with the direct involvement of the Mission in accordance with its mandate, should be aimed at reinvigorating the Transdniestrian settlement process within the existing formats, above all with a view to reviving the "5+2" mechanism as the main negotiation tool, as stipulated in the many instructions issued by the Ministers for Foreign Affairs of the OSCE participating States. Otherwise, Russia, as an active party to the process and a guarantor of the final settlement of this crisis situation, will regard the key function of the Mission as unfulfilled, in which case the field operation will have to be wound up.

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