

1148th Plenary Meeting

PC Journal No. 1148, Agenda item 2

DECISION No. 1251
PROGRAMME OFFICE IN DUSHANBE

The Permanent Council,

Recalling the decision of the CSCE Rome Council Meeting (1993), the Istanbul Document of 1999 (Charter for European Security), and Permanent Council Decisions No. 59, No. 109, No. 459, No. 500/Corrected reissue and No. 852,

Appreciating the work done by the OSCE Mission to Tajikistan, subsequently the OSCE Centre in Dushanbe and then the OSCE Office in Tajikistan, to assist the Republic of Tajikistan in implementing OSCE principles and commitments,

Welcoming the fruitful co-operation between the OSCE and the Republic of Tajikistan thus far,

Acknowledging the willingness of the Government of the Republic of Tajikistan to continue such co-operation and advance progress in implementing OSCE principles and commitments,

Recognizing the wish of the Government of the Republic of Tajikistan to modify the OSCE field operation in its country to take account of substantial developments in the Republic of Tajikistan as well as in the region over recent years,

Decides that:

1. The OSCE Office in Tajikistan is hereby transformed into the “OSCE Programme Office in Dushanbe”, with effect from 1 July 2017;
2. The OSCE Programme Office in Dushanbe, hereinafter referred to as “the Office”, will be active in the following areas:
 - (a) Promotion of the implementation of OSCE principles and commitments, as well as the co-operation of the Republic of Tajikistan within the OSCE framework, in all OSCE dimensions;
 - (b) Assisting the Republic of Tajikistan in its efforts to ensure security and stability through, *inter alia*, further police reform, countering and preventing terrorism and

violent extremism, combating organized crime and drug trafficking, tackling other transnational threats and challenges, and addressing OSCE commitments within the framework of the OSCE Forum for Security Co-operation;

- (c) Supporting the efforts of the Republic of Tajikistan aimed at further economic and environmental development through, *inter alia*, further improvement of business and trade opportunities, development of energy and transport, good governance and combating corruption, as well as the protection of the environment, water resource management and disaster risk reduction;
- (d) Assisting the Republic of Tajikistan in, *inter alia*, further developing civil society, human rights and the rule of law, gender equality, strengthening democratic institutions, and freedom of the media;
- (e) Facilitation of contacts and promotion of an information exchange with the OSCE Chairperson-in-Office and OSCE structures;
- (f) Liaison and close co-operation with the other OSCE field operations in the Central Asian region in order to maintain the coherence of the regional approach of the OSCE, and implementation of relevant activities to that end;
- (g) Continuation of efforts aimed at building national capacity and expertise within its area of responsibility in order to facilitate an efficient transfer of tasks to the Republic of Tajikistan;

3. The activities of the Office are conducted on the basis of a strong mutual understanding and are carried out on the basis of a jointly developed annual plan of programmes and projects, aimed at the performance of the above-mentioned tasks. All programmes and projects, including those financed from extrabudgetary sources, are implemented in close co-operation and consultation with the Government of Tajikistan;

4. The Office ensures full transparency in the use of budgetary resources, including extrabudgetary resources, in full compliance with the OSCE Common Regulatory Management System. It submits to the host State the Unified Budget Proposal and Programme Budget Performance Report as well as the OSCE Report and Financial Statements and the Report of the External Auditor according to a time schedule of regular consultations to be agreed upon with the Ministry of Foreign Affairs of the Republic of Tajikistan;

5. The Office will perform its tasks and carry out its activities in a transparent manner and in full respect of the national legislation of the host State. It will provide regular reports to the Permanent Council related to the implementation of its mandate;

6. The existing operational modalities (Task Force) shall be reviewed and mutually agreed on between the Ministry of Foreign Affairs of the Republic of Tajikistan and the Office;

7. The Head of the Office is appointed in accordance with OSCE Staff Rules and Staff Regulations;

8. The Office's headquarters will be located in Dushanbe. Activities will be implemented in the regions of the Republic of Tajikistan in accordance with paragraph 3 above;
9. The juridical aspects of the Office shall be specified in a new separate Memorandum of Understanding between the Government of the Republic of Tajikistan and the OSCE;
10. Pending adoption of a decision on the basis of a revised 2017 Unified Budget Proposal, the Office is authorized to use the resources allocated to the OSCE Office in Tajikistan for 2017;
11. This mandate will apply until 31 December 2017 and its extension or any amendments to it will be subject to a new decision of the Permanent Council to be taken on the basis of an annual review by the Permanent Council of the activities of the OSCE field presence in Dushanbe and the relevance of its mandate to current realities.

**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 Malta, 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 an OSCE Programme Office in Dushanbe, 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 advocates for strong and broad mandates for OSCE presences. Nevertheless, the European Union has joined consensus on this decision as we welcome the continuation of the valuable work of the OSCE presence in Tajikistan, now called the OSCE Programme Office in Dushanbe. The new mandate affirms a renewed commitment and ownership of the host country. We expect it to be the basis for strengthened and constructive co-operation between the OSCE and the host country.

The OSCE has had field presences in Tajikistan since 1995 which have carried out valuable work. The EU considers OSCE field presences an important tool, as they support host countries in implementing their OSCE commitments to the benefit of the host country – both its government and, most importantly, its people.

We have been reassured that the work of the Office will cover all three dimensions, contributing to efforts to promote and enhance comprehensive security and stability. In this context, we understand the list of priority areas in operative paragraph two as non-exhaustive and consider that the three dimensions are given equal weight.

We regret the closure of the five field offices. We consider the OSCE’s presence throughout the country and support which it lends to local populations as a strong asset and added value of the OSCE compared to other international organizations. We understand that the OSCE’s activities will continue to be carried out across the whole of the country and call on the Tajik authorities to fully use the OSCE’s expertise and support including at the regional and local level.

It is essential for the successful work of an OSCE presence, to be able to work freely with civil society. We fully expect therefore that access to NGOs will be unhindered, and that co-operation with the OSCE field presence and structures will have no detrimental consequences for NGOs. We thus positively note statements made by the authorities in the

course of the negotiations that these exchanges will continue, as is current practice also under the existing operational modalities.

Finally, the wish for more ownership is reflected in the mandate by several references to close co-operation and consultation with the government and a review of the operational modalities. We see the Task Force as a best practice example that should further enhance co-operation and facilitate the work of the Office. It should not, under any circumstances, lead to undue delays in the work of the Office. We underline that issues relating to staffing and the budget will have to be decided in line with established OSCE procedures.

The European Union welcomes the continued OSCE presence in Tajikistan and encourages the government to develop its co-operation with the OSCE to its full potential, making use of the OSCE's good offices and expertise as the biggest regional security arrangement under Chapter VIII of the UN Charter.

The European Union takes note that the new mandate has been reflected in the 2017 Unified Budget proposal.

In closing, let me thank the Personal Envoy of the Chairperson-in-Office, Ambassador Markus Mueller, for his efforts in bringing this matter to consensus in the Permanent Council.

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, Serbia¹ and Albania¹, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA country Norway, member of the European Economic Area, as well as Ukraine and Georgia align themselves with this statement.

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

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1 June 2017

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:

“Having joined the consensus regarding the Permanent Council decision on the adoption of the mandate of the OSCE Programme Office in Dushanbe, the Russian Federation assumes that the work of this Office will be developed in strict accordance with the provisions of the approved mandate, including the priority areas of co-operation set out in that document.

We underscore the sovereign right of States hosting OSCE field missions to determine independently the scope of the work of such presences and the forms of interaction with them. Any imposing of project and other activities or forms of co-operation constitutes interference in the internal affairs of the State.

As the host State, the Republic of Tajikistan has the right to the deciding vote in agreeing on areas of practical assistance from the OSCE Programme Office, which should be aimed at building the country’s national capacity.

Guided by the provisions of paragraph 41 of the Charter for European Security, the Russian Federation recalls that OSCE field presences on the ground should facilitate the development of national capacity and expertise by transferring the relevant knowledge and experience to the host countries. The activity of the missions is not of an indefinite duration and should be completed as this task is accomplished. We note that this principle is clearly set out in paragraph 2(g) of the Permanent Council decision on the new mandate of the OSCE Programme Office in Dushanbe. We call on the Office to adhere strictly to this philosophy and report regularly to the Permanent Council on the implementation of this paragraph.

We request that this statement be appended to the decision adopted, 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**

By the delegation of Tajikistan:

“Mr. Chairperson,

In connection with the adoption of the decision on the Programme Office in Dushanbe the delegation of the Republic of Tajikistan would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

Tajikistan is grateful to participating States for constructive approach during discussions on transformation of this field operation. Tajik side highly appreciates efforts of the Austrian Chairmanship to facilitate this process through the appointment of Ambassador Markus Müller as a special envoy for the work of the field operations in Kyrgyzstan and Tajikistan.

It is important to note, that the delegation of Tajikistan had raised several times the issue of the further necessity of transformation of the OSCE field presences in the OSCE region and adjustment of their activities to the evolving priorities and needs of the host countries.

The newly adopted mandate should be considered as an effort by Tajikistan to contribute to the further strengthening the effectiveness, efficiency and transparency of all OSCE field activities in order to avoid it further deterioration into the crisis of the Organization.

Mr. Chairperson, I kindly 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 the United States of America:

“Thank you, Mr. Chairperson.

In connection with the adoption by the Permanent Council of the decision for the mandate of the OSCE Programme Office in Dushanbe, 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 has joined consensus on the new mandate for the OSCE field presence in Tajikistan, now called the Programme Office in Dushanbe. We do so with the understanding that the new mandate will not be used to restrict the autonomy of the Office and its ability to respond flexibly to challenges or issues as they arise, and to engage in meaningful activity that addresses the full range of OSCE commitments. We also join consensus with the understanding that the Office will continue to freely co-operate and exchange information with academia, civil society, and other OSCE structures, and to work throughout the country.

Hosting an OSCE presence is an opportunity for a participating State to demonstrate leadership and good faith in working toward full implementation of OSCE commitments. In order to provide practical support in this regard, an OSCE field presence must be able to engage with the host government, academia, and civil society, and raise shortcomings and gaps in implementation honestly and straightforwardly. It also must be free to pursue openly and honestly its mandate to support implementation of the full range of OSCE commitments. These are not concerns limited to Tajikistan; they are operational principles essential to maintaining the integrity and effectiveness of any OSCE field presence.

The Government of Tajikistan has repeatedly assured other participating States that it desires strong collaboration with the OSCE. We welcome this sentiment. The United States looks forward to the Government of Tajikistan working collaboratively with the Programme Office, including through consultations on an annual plan of programmes and projects to be developed across all three dimensions of the OSCE’s comprehensive security concept. While we regret the closure of the OSCE Office in Tajikistan’s field offices, we also look forward to the continuation of projects throughout the country.

We continue to believe that the Border Management Staff College (BMSC), to which we are a major donor, should be funded from the Unified Budget. The BMSC offers training to professionals from many OSCE participating and Partner States, not just those from Tajikistan. The delay in negotiating a new mandate for the OSCE field presence this year demonstrated clearly the tenuous nature of having the BMSC continue as simply an extrabudgetary project of the Programme Office. As Tajikistan has repeatedly expressed its support for hosting the BMSC, we hope that we can resolve this issue for the 2018 Unified Budget.

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

Thank you, Mr. Chairperson.”