



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

PC.DEC/1409  
22 July 2021

Original: ENGLISH

---

**1325th Plenary Meeting**

PC Journal No. 1325, Agenda item 3

**DECISION No. 1409  
EXTENSION OF THE DEPLOYMENT OF OSCE OBSERVERS TO  
TWO RUSSIAN CHECKPOINTS ON THE  
RUSSIAN-UKRAINIAN BORDER**

The Permanent Council,

Recalling its Decision No. 1130 of 24 July 2014 on the deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border (PC.DEC/1130),

Decides:

1. To extend the mandate of the deployment of OSCE observers to the two Russian border checkpoints of Donetsk and Gukovo on the Russian-Ukrainian border until 30 September 2021;
2. To approve the arrangements and the financial and human resources for the Observer Mission as contained in document PC.ACMF/50/21 of 7 July 2021. In this respect, authorizes the use of 234,000 euros from the 2019 cash surplus to fund the proposed budget for the duration of the mandate to 30 September 2021.

**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:

“Madam Chairperson,

In connection with the Permanent Council decision on the extension of the deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border, 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.

Having joined consensus on the decision to extend the mandate of the OSCE Observer Mission for only another two months, the delegation of Ukraine proceeded from the understanding that it was the only way to ensure further activities by the Mission after the Russian Federation refused to give its consent on a regular four-month extension.

We regret that the position of the Russian side compelled participating States to settle for a shorter mandate of this OSCE field presence instead of ensuring a more stable functioning of the Mission, which continues to operate under unjustified restrictions imposed by the host country.

The ‘Normandy Four’ Berlin Joint Declaration of 2 July 2014 invited the OSCE to take all necessary steps to deploy OSCE observers with a view to contributing to an effective control of the Russian-Ukrainian border. Two months later, Russia signed the Minsk Protocol of 5 September 2014, which envisages in its paragraph 4 the establishment of permanent monitoring on the Ukrainian-Russian State border. The full implementation of this provision has a direct link to a sustainable ceasefire along the line of contact, de-escalation of the security situation in the Donetsk and Luhansk regions of Ukraine, and peaceful resolution of the Russian-Ukrainian hybrid armed conflict.

We again urge Russia as a signatory of the Minsk agreements to pay proper attention to plenty of calls by participating States to extend the Mission’s mandate cycle for a longer period and to expand the OSCE geographical presence along the entire uncontrolled part of the Ukrainian-Russian State border.

Persistent reluctance by Russia to implement its commitments can only be attributed to its unchanged intention to continue intervention in Ukraine’s Donbas, including by sending

weapons, military equipment, ammunition, regular troops, fighters and mercenaries, and fueling the conflict. We consistently continue to urge Russia to cease immediately these dangerous and internationally wrongful acts.

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

Thank you, Madam Chairperson.”

**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 Slovenia, 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 decision of the Permanent Council on the extension of the deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border, the European Union would like to make the following interpretative statement under the relevant provisions of the Rules of Procedure.

The European Union’s views on the vital importance of the monitoring of the Ukrainian-Russian State border are well known. Effective and comprehensive monitoring of this border is an integral part of a sustainable political solution in line with OSCE principles and commitments, which re-establishes full Ukrainian control over its sovereign territory, including the border. We recall that the Minsk Protocol calls for permanent monitoring of the border and verification by the OSCE and that the Minsk Package of Measures includes a commitment to reinstate full Ukrainian control over its entire international border.

The OSCE Observer Mission’s very limited mandate and its small size do not provide for comprehensive border monitoring. Moreover, we do not see any grounds for the Russian Federation’s continued resistance to the long overdue expansion of the Observer Mission, including the improvement of its equipment, and urge it to reconsider its position. We therefore recall our support for a significant expansion of the Observer Mission to all border crossings on the Ukrainian-Russian State border currently not under control of the Ukrainian Government as well as monitoring between these border crossings.

An expansion of the Mission’s mandate should be supported and co-ordinated with border monitoring on the Ukrainian side of the border by the Special Monitoring Mission (SMM). We reiterate the need for the SMM to be ensured safe and unhindered access to all parts of the border currently not under Ukrainian government control. Further, we underline the need for equipment and freedom of movement for the Observer Mission at the crossing stations in order to monitor movements on the border more effectively.

The insistence by Russia on two-month extensions of the Observer Mission is regrettable. Such short mandates have significant adverse effects on the Mission’s operations and effective management and on the morale of the staff. This is also detrimental to the efforts to find a sustainable peaceful solution to the conflict in eastern Ukraine. We thus urge

the Russian Federation to reconsider its position and revert to four-month, or longer, mandates.

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

The candidate countries the Republic of North Macedonia<sup>1</sup>, Montenegro<sup>1</sup> and Albania<sup>1</sup>, and the EFTA countries Iceland and Norway, members of the European Economic Area, as well as the Republic of Moldova, Georgia, Andorra and San Marino align themselves with this statement.

---

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

**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 deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border, 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 blocks consensus on extending the border Observer Mission mandate for a longer period. The shortened mandate puts into question Russia’s supposed ‘goodwill’ in hosting the mission and moves us further away from fulfilling the Minsk agreements. As Canada and others have consistently repeated, the mandate of the border Observer Mission should be increased to ease the significant logistical and financial burdens for both the host country and the OSCE. Each renewal requires a laborious and burdensome process to negotiate and procure contracts, visas, licences and leases, and adds unneeded stress on mission members. A two-month interval to repeat and renew these processes is highly inefficient and wastes precious resources.

Madam Chairperson,

The border Observer Mission is meant to help build transparency and create a positive environment for resolving the Russia-Ukraine conflict, but this requires both sides to engage constructively in the various negotiating fora and demonstrate how they are following up on their commitments made. Canada firmly believes that the border Observer Mission must be provided with full access to the entire Russian side of the internationally recognized border, adjacent to certain areas of the Donetsk and Luhansk regions of Ukraine, including the authority to monitor the nearby railroad tracks and all 11 official border checkpoints. The border Observer Mission also needs the necessary tools to carry out its mandate, which includes greater access to vehicles and their contents; the use of binoculars, cameras, and other technical equipment; as well as a closer working relationship with the Russian border authorities. We regret that the Russian Federation continues to resist an expanded geographical mandate and much needed equipment for the OSCE border Observer Mission.

Canada requests that this statement be attached to the decision and reflected in the journal of the day.”

PC.DEC/1409  
22 July 2021  
Attachment 4

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 team of OSCE observers at the two Russian checkpoints of Gukovo and Donetsk on the Russian-Ukrainian border for two months (until 30 September 2021), viewing the work of this team as a confidence-building measure outside the context of the fulfilment by the parties to the internal Ukrainian crisis – the Ukrainian Government, Donetsk and Luhansk – of their commitments within the framework of the Minsk agreements signed already after the team’s deployment.

The Russian Federation’s decision was based on the invitation made on 14 July 2014 in the wake of the Berlin Declaration issued on 2 July 2014 by the Ministers for Foreign Affairs of Russia, Germany, France and Ukraine.

The Minsk Protocol of 5 September 2014 and the Memorandum of 19 September 2014 make no mention whatsoever of the deployment of OSCE observers on the Russian side of the border with Ukraine. Nor is there any reference to this in the Package of Measures for the Implementation of the Minsk Agreements adopted on 12 February 2015 and subsequently endorsed by United Nations Security Council resolution 2202. The decision to allow OSCE observers on Russian territory and Ukrainian border guards and customs officers to be present at Russian checkpoints are solely gestures of goodwill on Russia’s part.

The long-standing work of the team, which has confirmed the consistently calm situation on the Russian-Ukrainian border, should have had a positive effect on the resolution of the internal Ukrainian crisis and induced the Ukrainian authorities to stop the punitive operation in Donbas. However, there has never been a proper response from the Ukrainian Government. With the support of foreign handlers, the Ukrainian authorities have followed the path of further militarization and armed escalation, which has resulted in new casualties and destruction. The leadership of Ukraine is not making any meaningful efforts to achieve a lasting, comprehensive political settlement of the internal conflict in the east of the country.

There is also the desire of a number of participating States to politicize the activities of the team of observers through calls to change its mandate without good reason and link its activities to the transferring of control of the border in Donbas to the Ukrainian Government in violation of the proper sequence of implementation of the Minsk Package of Measures.

We emphasize that the mandate and the places of work of the team were clearly stipulated in Permanent Council Decision No. 1130 of 24 July 2014. The modalities of the observers' work do not provide for functional co-operation with OSCE field operations in other States.

In our view, the confrontational approaches of a number of participating States to the team and to a settlement of the internal Ukrainian conflict as a whole are destroying trust and represent an abuse of Russia's goodwill. They call into question the effectiveness of such a measure and undermine the basis for further work by this OSCE field operation.

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

**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, Mr. Chairperson.

In connection with the decision of the Permanent Council on the extension of the deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border, the United Kingdom would also like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

The United Kingdom is clear that the establishment of genuinely comprehensive monitoring of the entire segment of the Ukraine-Russia State border outside Ukrainian government control, as well as the restoration of full Ukrainian control over that State border, is essential.

While joining consensus on this decision, we are deeply disappointed that once again the host country could not agree to extend the Mission’s mandate any longer than two months. As a result, the Mission’s dedicated staff will have to continue to face unnecessary uncertainty in both their professional and personal lives. Moreover, the reduced mandate extension will increase the operational burden incurred by the Mission and impede its ability to carry out its mandate efficiently, at a time when transparency and confidence are sorely needed.

The Mission’s limited scope, as well as the excessive restrictions placed on it by the host country, mean that it already faces many challenges to carrying out its monitoring activities.

The Mission is only present at two checkpoints along an over 400-kilometre stretch of the Ukraine-Russia State border which is outside of Ukrainian government control; and even at those two checkpoints, its freedom of movement is severely limited. This impedes its ability to observe people in military-style outfits in vehicles, ambulances crossing the border during night hours, trains at Gukovo border crossing point and to assess whether vehicles are crossing into Ukraine or not – to name just a few issues the Mission has raised. Its observation is further hindered by Russia’s refusal to allow the observers to use monitoring tools such as binoculars or cameras. This is far from the comprehensive border monitoring foreseen under the Minsk agreements.

The United Kingdom commends the Mission for its ongoing efforts in these challenging circumstances. We join the many other calls on Russia to end all undue restrictions placed on the Observer Mission and to end its objection to the expansion of the Mission to the entirety of the uncontrolled section of the border. We also reiterate the importance of full, safe and unimpeded access for the Special Monitoring Mission to the entire territory of Ukraine, including the border.

Let me also take this opportunity to reiterate the United Kingdom's unwavering support for the sovereignty and territorial integrity of Ukraine within its internationally recognized borders, including its territorial waters.

I request that this 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 of the decision for the extension of deployment of OSCE observers to two Russian checkpoints on the Russian-Ukrainian border, 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 on numerous occasions expressed regret over Russia’s continued blockage of efforts to expand the geographic scope of the OSCE Observer Mission at the Russian checkpoints Gukovo and Donetsk, despite clear and continued support from other participating States to do so. The participating States have been forced to accept a limited-scope mission covering just two border checkpoints, which together account for only a few hundred metres of the 2,300-kilometre Russian-Ukrainian border, much of which Ukraine does not control.

The Mission’s purpose is to build confidence through increased transparency by observing and reporting on the situation at these checkpoints, including movements across the international border between Ukraine and Russia.

In May, Russia chose to block the standard four-month extension of the mandate for the Mission, instead reducing the mandate period to two months thereby further adding administrative complications which hamper the Mission’s ability to fulfil its already too-limited mandate. To ensure continued operation of the Mission, the United States reluctantly joined consensus on this decision and will do so for a second time. However, we note our strong opposition to this reduced mandate period, while we voice continued strong support for Ambassador Varga, his staff, and the mission they fulfil.

We note that point 4 of the Minsk Protocol delineates a clear role for the OSCE to monitor and verify both sides of the Russian-Ukrainian international border, and to create a security zone in the border areas of Russia and Ukraine. There are strong linkages between ceasefire monitoring and border monitoring, and it is to the detriment of all efforts to resolve the conflict that the OSCE approach to these activities has been impeded by one participating State.

Russia's long-standing efforts to hinder the work of this Mission and to prevent the expansion of its scope are a clear demonstration of Moscow's unwillingness to take its Minsk commitments seriously.

We cannot see any value in shortening the mandate, which runs counter to Russia's oft-professed goals of increasing the OSCE's cost-effective operation. Russia's shortened mandate sends an unproductive signal and raises questions about Russia's goals and intentions at a time when we all see value in de-escalating tensions in the region and more broadly.

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

Thank you, Mr. Chairperson.”