

1143rd Plenary Meeting

PC Journal No. 1143, Agenda item 3

**DECISION No. 1250
PROGRAMME OFFICE IN BISHKEK**

The Permanent Council,

Recalling its Decisions No. 245 of 23 July 1998 and No. 339 of 10 February 2000, on the establishment and the mandate of the OSCE Centre in Bishkek and the local office in the city of Osh,

Taking into account the considerable progress of the Kyrgyz Republic on the path of democratic reforms and the long-term successful co-operation with the OSCE in the field of political reforms in the country,

Aiming to further improve the quality, forms and mechanisms of co-operation between the OSCE and the Kyrgyz Republic, based on mutual understanding and close co-operation, as well as to improve the efficiency and effectiveness of the OSCE field presence in the Kyrgyz Republic, ensuring the compatibility of its activities with the evolving needs, specific objectives and priorities of the country agreed with the host government,

Decides that:

1. The OSCE Centre in Bishkek is hereby transformed into the “OSCE Programme Office in Bishkek”, with effect from 1 May 2017;
2. The OSCE Programme Office in Bishkek, hereinafter referred to as “the Office”, shall develop, implement and report on programmatic activities in all three dimensions of the OSCE previously agreed upon in the framework of a consultative mechanism between the Ministry of Foreign Affairs of the Kyrgyz Republic and the Office, which:
 - (a) Are to be aimed at supporting the Kyrgyz Republic in implementing OSCE principles and commitments, and at providing the country with assistance in their implementation as detailed in paragraph 3;
 - (b) Are to be conducted on the basis of a strong mutual understanding and carried out on the basis of an annual plan of programmes and projects jointly developed by the Government of the Kyrgyz Republic and the Office, aimed at the performance of the tasks specified below. All programmes and projects, including those financed from

extrabudgetary sources, are to be implemented in close co-operation and consultation with the Government of the Kyrgyz Republic;

3. The Office should work towards the following priority areas such as:
 - (a) Projects related to the politico-military dimension, with a focus on transnational threats and law enforcement co-operation, with an emphasis on security sector governance, the fight against terrorism and violent extremism, and the fight against organized crime and drug trafficking;
 - (b) Projects related to the economic and environmental dimension, with an emphasis on economic and ecological development and on promoting good governance, the fight against corruption and money laundering, public-private partnerships, the development of small and medium-sized enterprises, transport and border and customs control, environmental protection, water management issues and natural disaster reduction;
 - (c) Projects related to the human dimension on strengthening human rights, in particular social, economic and cultural rights and the rule of law, and the fight against human trafficking; and strengthening democratic institutions, the electoral system, freedom of expression and civil society development;
 - (d) Projects on gender equality as a cross-dimensional issue;
4. The Office shall liaise and co-operate closely with the other OSCE field operations in the region in order to maintain the coherence of the regional approach of the OSCE. The regional projects involving the interests of the Kyrgyz Republic shall be agreed on with the Kyrgyz Government;
5. The Programme Office will be located in Bishkek. Activities implemented in the regions of the Kyrgyz Republic will be agreed upon in accordance with paragraph 2 above;
6. The number of international and national staff of the Office needs to be agreed on by the Ministry of Foreign Affairs of the Kyrgyz Republic on the basis of an annual review. Increasingly relying on national capacities and ownership, the Government of the Kyrgyz Republic and the Office will agree on a strategy to gradually handover managerial positions to competent local staff members.
7. This mandate of the Office will be valid until 31 December 2017. The extension of its validity, amendments or any changes will require new decisions of the Permanent Council, to be taken on the basis of the annual review of the Office by the Permanent Council of its activities and compliance with its mandate.

At the same time, Permanent Council Decisions No. 245 of 23 July 1998, No. 1238 of 27 January 2017, No. 339 of 10 February 2000, remain valid until 30 April 2017.

**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 Bishkek, 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 EU advocates for strong and broad mandates for OSCE presences. Nevertheless, the EU has joined consensus on this decision as we welcome the continuation of the valuable work of the OSCE field presence in Kyrgyzstan, now called the OSCE Programme Office in Bishkek. We expect the new mandate to further strengthen the constructive co-operation between the OSCE and the host country.

The OSCE has had field presences in Kyrgyzstan since 1998 which have carried out valuable work. The EU considers OSCE field presences an important tool, as they assist 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 2 as non-exhaustive and consider that the three dimensions are given equal weight.

We regret the closure of the Office’s presence in Osh, which has carried out important activities in promoting the OSCE’s role for early warning and conflict prevention since its establishment 17 years ago. We consider the OSCE’s presence throughout the country and the 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 OSCE’s activities will continue to be carried out across the whole of the country and call on the 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 field 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 stipulated also in the consultative mechanism that was agreed with the Office.

Finally, the wish for more ownership is reflected in the mandate by several references to close co-operation and consultation with the government and the development of a consultative mechanism. This mechanism should only be aimed at enhancing efficient co-operation and facilitating the work of the Office. It should not, under any circumstances, lead to undue delays in the work of the Office. With reference to operative paragraph 6, we underline that issues relating to staffing and the budget will have to be decided in line with established OSCE procedures.

The EU and its Member States welcome the continued OSCE presence in Kyrgyzstan and encourage 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 2017 Unified Budget proposal will need to be updated to reflect the new mandate.

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 European Free Trade Association country Norway, member of the European Economic Area, as well 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.

**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 OSCE Programme Office in Bishkek, 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 the Kyrgyz Republic, now called the Programme Office in Bishkek. We did so because we believe that OSCE assistance in supporting the Kyrgyz Republic in implementing its OSCE commitments is as needed now as ever. We also did so despite reservations that the new mandate could unduly restrict the ability of the Programme Office both to respond flexibly to challenges as they arise and to engage in meaningful activity that addresses the full range of OSCE commitments, including all those related to the human dimension. We understand the list of priority areas in operative paragraph 2 to be illustrative but not exhaustive.

We appreciate the work of the Austrian Chairmanship and of Ambassador Marcus Müller in negotiating the new mandate. We would have liked to have been able to participate in a more regular negotiation, one in which we could have discussed the wording of the decision. Since the circumstances did not allow this, we want to stress that, while we joined consensus, the wording of the mandate cannot serve as a precedent for use in any other country.

Hosting an OSCE presence is an opportunity for a participating State to demonstrate leadership and good faith in working toward full implementation of its OSCE commitments. In order to provide effective support in this regard, an OSCE presence must be able to raise shortcomings and gaps in performance honestly and straightforwardly with the host government and civil society. It is important that the dialogue between the Programme Office and host government be candid, deal with all relevant issues, and not be circumscribed by concern over either side's possible reactions.

The United States urges the Government of the Kyrgyz Republic to work collaboratively with the Programme Office to ensure substantive project activities across all three dimensions of the OSCE's comprehensive security concept. We look forward to the

continued work of the Bishkek Academy, which we strongly support. We regret the closure of the Office's presence in Osh, which has made important contributions to conflict prevention for close to two decades. It is important that the Office be able to work throughout the Kyrgyz Republic.

We urge the Government of the Kyrgyz Republic, and all participating States, to ensure through the budget process that the OSCE presence has adequate staff and resources to carry out the tasks encompassed by the new mandate. In order to ensure that we continue to support prudent allocation of resources, the United States intends to assess the quality and extent of the co-operation between the Government of the Kyrgyz Republic and the Programme Office and to share our assessment prior to the beginning of discussions on the 2018 Unified Budget.

I request that this interpretative statement be attached to the decision and that it be included in 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 Kyrgyzstan:

“Mr. Chairperson,

The delegation of the Kyrgyz Republic would like to make the following interpretative statement under paragraph IV.1(A)6 of the Rules of Procedure of the OSCE in connection with the Permanent Council’s decision on the OSCE Programme Office in Bishkek.

1. The Kyrgyz Republic will apply the following interpretation of the mandate of the newly established Office:
 - (a) In accordance with operative paragraph 2, the Office will develop, implement and report on its programmatic activities previously agreed upon in the framework of the consultative mechanism between the Ministry of Foreign Affairs of the Kyrgyz Republic and the Office. Any activity that is not agreed upon in the framework of the consultative mechanism shall be regarded as a violation of the Office’s mandate. In addition, this paragraph shall be understood as limiting the scope of the Office’s reports only to its own programmatic activities.
 - (b) It is understood from operative paragraph 2 that the Office will be limited to the implementation of programmatic activities exclusively in the priority areas set out in operative paragraph 3. Any activity in any other sphere not provided for in paragraph 3 of the mandate and carried out without the consent of the Ministry of Foreign Affairs of the Kyrgyz Republic shall be regarded as a violation of the Office’s mandate.
 - (c) Operative paragraph 6 provides for a gradual reduction in the number of international staff of the Office in favour of local staff. This approach is fully in line with paragraph 41 of the Istanbul Document 1999 (Charter for European Security), which notes that the field mission aims to build national capacity, with the gradual transfer of these functions to the host country. In this regard, the Kyrgyz Republic will adhere to the firm position of reducing the number of international employees of the Office.

We proceed from the understanding that, in the process of forming the field mission's budget for 2018, the Office's international staff will be reduced to nine people, not counting the Head of Mission, and to make up for the reduced number of international staff, national experts will be hired to optimize the operation of the mission and carry out project activities.

2. In general, the newly adopted mandate should be seen as a manifestation of the Kyrgyz Republic's desire to make its conscientious contribution to enhancing the effectiveness and transparency of OSCE field activities.

The Kyrgyz Republic firmly believes that the mandate of any OSCE field operation should clearly define its terms of reference and be updated as the needs and priorities of the host country and current realities change.

Mr. Chairperson, I request that the text of this interpretative statement be appended to the decision adopted.”

PC.DEC/1250
27 April 2017
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:

“In joining the consensus regarding the Permanent Council decision on the adoption of the mandate of the OSCE Programme Office in Bishkek, the Russian Federation takes the position 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 it.

We underscore the sovereign right of States hosting OSCE field missions to determine independently the scope of the work of such presences and 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 Kyrgyz Republic 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 national capacity of the country.

Guided by the provisions of paragraph 41 of the Charter for European Security, the Russian Federation recalls that OSCE missions should facilitate the development of national expertise by transferring the relevant knowledge and experience to the host countries. The activity of the missions is not of an indefinite nature and should be completed as this task is accomplished.

I request that this statement be appended to the decision adopted, and included in the journal of the day as an attachment.”