



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

PC.DEC/1264
20 July 2017

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1155th Plenary Meeting
PC Journal No. 1155, Agenda item 4

**DECISION No. 1264
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 31 October 2017;
2. To approve the arrangements and the financial and human resources for the Observer Mission as contained in document PC.ACMF/31/17. In this respect, authorizes the use of 291,100 euros from the 2015 and 2016 cash surpluses to fund the proposed budget for the duration of the mandate to 31 October 2017.

**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 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.

The delegation of Ukraine consistently reiterates the importance of having a substantial and broad OSCE monitoring on the Russian side of the Ukrainian-Russian border adjacent to certain areas of Donetsk and Luhansk oblasts of Ukraine. It is not a matter of ‘goodwill’ on the part of Russia, but a matter of implementation of undertaken commitments.

Having signed the Minsk Protocol of 5 September 2014, the Russian Federation undertook to ensure permanent monitoring of the Ukrainian-Russian State border and its verification by the OSCE with the formation of a security zone in the border areas of Ukraine and the Russian Federation.

Expanding the mandate of the OSCE Observer Mission at the Russian checkpoints ‘Gukovo’ and ‘Donetsk’ to all sections of the border adjacent to certain areas of the Donetsk and Luhansk oblasts of Ukraine is critical for sustainable de-escalation and peaceful resolution of the conflict, started by Russia.

We deeply regret that the Russian Federation continues to oppose expansion of the mandate of the OSCE Observer Mission at the Russian checkpoints ‘Gukovo’ and ‘Donetsk’ to all sections of the border that is temporarily not under control of the Ukrainian authorities. Such obstruction on the part of Russia can only be attributed to its unchanged position on continuing its aggression against Ukraine in Donbas, including by supplying heavy weapons, military equipment, regular troops, fighters and mercenaries, sponsoring and financing terrorist acts in the territory of Ukraine. We emphasize that these actions by Russia constitute internationally wrongful acts, which entail international responsibility of the Russian Federation. We reiterate our call on Russia to cease these acts, to offer appropriate assurances of their non-repetition, as well as to make full reparation for the injury caused thereby.

In this connection the delegation of Ukraine recalls that Russia has not responded to requests for explanations on the OSCE SMM reported presence in the certain areas of Donetsk and Luhansk oblasts of Ukraine of sophisticated modern Russian weapons and military equipment, including the jamming system R-330 'Zhitel', heavy flame-thrower system 'Buratino', portable flame-thrower 'Shmel', 'Grad P', UAV 'Orlan-10', used exclusively by the Russian armed forces.

We call upon the Russian Federation to demonstrate its full commitment to the implementation of the Minsk agreements in good faith and to allow comprehensive permanent monitoring by the OSCE on the Russian side of the Ukrainian-Russian State border adjacent to the certain areas of the Donetsk and Luhansk oblasts with establishment of a security zone in border areas of Ukraine and the Russian Federation.

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.”

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
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CO-OPERATION IN EUROPE**

The delegation of Estonia, 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 Ukrainian-Russian State 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 border monitoring on the Russian-Ukrainian 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 currently very limited mandate and its small size does not provide for a comprehensive border monitoring. We therefore reiterate our call for a significant expansion of the Observer Mission to all border crossings on the Russia-Ukraine State border currently not under control of the Ukrainian Government as well as monitoring between these border crossings. This should be supported and co-ordinated with border monitoring on the Ukrainian side of the border by the Special Monitoring Mission and we reiterate the need for the SMM to be assured safe and unhindered access to all parts of the border currently not under Ukrainian government control since border and ceasefire monitoring are very closely interlinked. Further we underline the need for sufficient equipment for the Observer Mission in order to monitor movements on the border more effectively.

We regret that the Russian Federation continues to resist an expansion of the Observer Mission.”

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 EFTA countries Iceland and Norway, members of the European Economic Area, as well as the Republic of Moldova, 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.

**INTERPRETATIVE STATEMENT UNDER
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE
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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 finds it deeply regrettable that the Russian Federation continues to block the expansion of the geographic scope of the Observer Mission, despite the clear, strong, and continued support from other participating States to do so. We once again must accept an inadequate, limited-scope mission covering just two border checkpoints, which together account for only a few hundred meters of the 2,300 kilometre Ukrainian-Russian border, much of which Ukraine does not control.

Due to Russia’s unwarranted restrictions of the border observation mission’s work, the Mission will continue to be unable to ascertain the full extent to which Russia is participating in or facilitating the flow of arms, funding, and personnel to support the so-called “separatists” in eastern Ukraine.

We note that point 4 of the Minsk Protocol delineates a clear role for the OSCE to monitor and verify both sides of the Ukrainian-Russian 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. The Russian Federation’s repeated refusal to allow expansion of the scope of this mission shows, once again, that it refuses to fulfil its Minsk commitments.

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

Thank you, Mr. Chairperson.”

PC.DEC/1264
20 July 2017
Attachment 4

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**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 Russian Federation:

“The Russian Federation joined the consensus regarding the Permanent Council decision on the latest 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 three months (until 31 October 2017), regarding the work of this team as an additional voluntary confidence-building measure in the settlement of the internal Ukrainian conflict.

We reaffirm that the places of deployment and functions of the team of OSCE observers are clearly defined by the team’s mandate approved by Permanent Council Decision No. 1130 of 24 July 2014, which is based on the invitation of the Russian Federation of 14 July 2014 made in the wake of the Berlin Declaration of the Foreign Ministers of Russia, Germany, France and Ukraine of 2 July 2014.

The Minsk Protocol of 5 September 2014 does not mention 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 the presence of Ukrainian border guards and customs officers at Russian checkpoints in the absence of a full-scale peace settlement are solely a goodwill gesture on Russia’s part.

With a view to granting privileges and immunities to the OSCE observers, Russia is willing to consider the possibility of their accreditation as diplomatic staff of embassies at the request of the seconding countries.

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