



1044th Plenary Meeting

PC Journal No. 1044, Agenda item 5

DECISION No. 1162
EXTENSION OF THE MANDATE OF THE
OSCE SPECIAL MONITORING MISSION TO UKRAINE

The Permanent Council,

Recalling its Decision No. 1117 of 21 March 2014 on the deployment of an OSCE Special Monitoring Mission to Ukraine (PC.DEC/1117),

Taking into account the request of the Government of Ukraine for the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine (CIO.GAL/15/15/Corr.1),

Decides:

1. To extend the mandate of the OSCE Special Monitoring Mission to Ukraine until 31 March 2016;
2. To approve the arrangements as well as the financial and human resources for the OSCE Special Monitoring Mission to Ukraine as contained in document PC.ACMF/13/15/Rev.1 for the period 21 March 2015 to 31 March 2016. In this respect, authorizes the assessment of EUR 65,000,000 on the basis of the field operation scale, at the time of billing, with the remaining balance being financed through voluntary contributions;
3. To task the Chief Monitor, as Fund Manager, to administer the Special Fund in accordance with the Financial Regulations and Staff Regulations and Staff Rules and to report to the ACMF on the implementation of the Special Fund on a quarterly basis;
4. To encourage the Fund Manager to take all necessary measures in order to improve efficiency and to achieve cost savings in the relevant components of the Special Fund;
5. That the OSCE Special Monitoring Mission to Ukraine may expand up to a total of 1000 civilian monitors, as necessary and according to the situation. The Chief Monitor will notify the Chairmanship, the Permanent Council and the host country of the concrete modalities, based on the needs on the ground.

**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 decision to extend the mandate of the OSCE Special Monitoring Mission to Ukraine, 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 welcomes the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine. In so doing, we reaffirm the interpretative statement we made on 21 March 2014, upon adoption of the mandate, and on 24 July 2014, upon the first extension of the mandate, under paragraph IV.1(A)6 of the Rules of Procedure, and we note that those interpretative statements remain in force. We remind the Permanent Council of the key elements of those statements:

The United States reaffirms its firm commitment to Ukraine’s sovereignty and territorial integrity within its internationally recognized borders.

We note that that the Special Monitoring Mission to Ukraine has a mandate to work throughout Ukraine, including in Crimea.

We note that all participating States must co-operate with the Special Monitoring Mission and should take no actions to obstruct its access to Crimea or any other region of Ukraine.

We offer our gratitude to all monitors, staff, and leadership of the Special Monitoring Mission for their excellent work under difficult and at times unacceptable conditions.

In addition to recalling those key elements of our previous interpretative statements, we would also like to use this opportunity to call on Ukraine, Russia, and the Russia-backed separatists to ensure that the SMM has unfettered movement throughout the territory of Ukraine and to guarantee the safety and security of SMM monitors as they carry out their duties.

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

PC.DEC/1162
12 March 2015
Attachment 2

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:

“Mr. Chairperson,

Canada wishes to make an interpretative statement under Paragraph IV.1(A)6 of the OSCE Rules of Procedure in connection with the Permanent Council decision just adopted on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine.

Canada welcomes the adoption of this decision, and we thank the Serbian Chairmanship for its efforts in achieving this result.

In this context, we wish to reiterate our full support for Ukraine’s sovereignty and territorial integrity. As per the mandate we have just extended, we expect that the OSCE SMM will be granted ‘safe and secure access throughout Ukraine’, as defined by the Constitution of Ukraine. Canada has not and will not recognize the illegal annexation of Ukraine’s Autonomous Republic of Crimea by the Russian Federation.

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

Thank you.”

PC.DEC/1162
12 March 2015
Attachment 3

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 connection with the Permanent Council decision adopted on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine (SMM) until 31 March 2016, we should like to make the following statement. We deeply regret that Ukraine with the support of the Permanent Representative of the United States of America effectively frustrated the adoption of the Permanent Council declaration proposed by the Serbian OSCE Chairmanship in support of United Nations Security Council resolution 2202 (2015) of 17 February 2015, which approved the Package of Measures for the Implementation of the Minsk Agreements adopted and signed in Minsk on 12 February 2015, and also the Declaration by the President of the Russian Federation, the President of Ukraine, the President of the French Republic and the Chancellor of the Federal Republic of Germany in support of the Package of Measures for the Implementation of the Minsk Agreements adopted at the same time. We regret that these provisions have also not been reflected in the Permanent Council decision adopted today. Nor does it mention our call to provide the SMM with all the necessary technical resources, including satellite images, drones, radar equipment, etc., as stipulated in the Package of Measures for the Implementation of the Minsk Agreements. We regard the amendments introduced by Ukraine as an attempt retroactively to rewrite the February agreements, which were supported by the leaders of the Normandy quartet countries, including by the President of Ukraine Petro Poroshenko.

We stress that if it is to fulfil its mandate the SMM should enjoy freedom of movement taking into account the requirements of ensuring the monitors' safety, and its capacities, including technical ones, should be strengthened. In the light of the agreements reached on 12 February in Minsk, when gathering information and compiling reports on the situation priority attention should be given to constant monitoring in the security zone in south-eastern Ukraine of the observance of the ceasefire regime and the withdrawal of heavy weapons. We stress that the SMM should monitor and report on the situation in other regions of Ukraine as well, and also carry out the entire range of tasks in accordance with its mandate.

In conclusion, we should like to recall that the geographical area of deployment and activities of the SMM is strictly limited by the parameters of its mandate, which reflects the political and legal realities existing since 21 March 2014 as a result of the fact that the Republic of Crimea and Sevastopol have become an integral part of the Russian Federation.

I request that this statement be attached to the decision adopted and included as an annex to 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 Ukraine:

“Mr. Chairperson,

In connection with the adoption of the PC decision on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine, 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.

Ukraine expresses its gratitude to the OSCE participating States for the positive response to the request of the Government of Ukraine to extend the mandate of the OSCE Special Monitoring Mission for the period of twelve months.

The Government of Ukraine regards the adoption of this decision as the practical response of this Organization to assist the country in countering the severe consequences of the aggression pursued by the Russian Federation against Ukraine in breach of imperative norms of international law, the Helsinki Final Act, bilateral and multilateral agreements, which guarantee Ukraine’s territorial integrity, inviolability of borders and non-intervention in internal affairs of Ukraine.

We see as critically important the role to be played by the OSCE and the SMM in the process of seeking a peaceful resolution in the east of Ukraine, based on the principles of sovereignty and territorial integrity of Ukraine.

Ukraine continues to strongly support the SMM in monitoring the implementation of all relevant provisions of the Minsk agreements.

In this connection we stress that the Minsk agreements include the Minsk Protocol of 5 September 2014, the Minsk Memorandum of 19 September 2014 and the Package of Measures for the Implementation of the Minsk agreements of 12 February 2015. These Minsk documents establish the agreed commitments undertaken by the same signatories, including members of the Trilateral Contact Group that represent Ukraine, the OSCE and the Russian Federation. They constitute the political framework for peaceful resolution in the east of Ukraine, must be treated equally, implemented fully and in good faith by all parties.

We regret that we are unable to adopt a Permanent Council Declaration in support of SMM in view of unconstructive position of the Russian Federation. The Russian delegation objected inclusion in the document of the call for full implementation of the Minsk agreements of September 2014 as expressed in the PC Declaration of 20 January 2015 which was adopted by consensus of all 57 OSCE participating States. In particular, it relates to implementation of the “Protocol upon results of consultations of the Trilateral Contact Group concerning joint steps, aimed at implementation of the Peace Plan of President of Ukraine P. Poroshenko and initiatives of President of Russia V. Putin” of 5 September 2014.

In view of the current developments in the eastern regions of Ukraine, we underline the importance of strengthening the capacities of the OSCE Special Monitoring Mission to Ukraine, including with technical means, in order to ensure effective monitoring and verification of implementation of the Minsk arrangements, in particular those related to the ceasefire, the withdrawal of heavy weapons and border monitoring.

The OSCE monitors must have full and unhindered access throughout Ukraine’s territory.

Ukraine affirms its interpretative statement appended to the Permanent Council Decision No. 1117 of 21 March 2014 which remains in force. The mandate of the mission covers the entire territory of Ukraine within its internationally recognized borders, including the Autonomous Republic of Crimea and the city of Sevastopol.

The delegation of Ukraine requests that this statement be attached to the decision and recorded 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**

The delegation of Latvia, in its capacity as EU Presidency, passed the floor to the representative of the European Union, who delivered the following statement:

“In response to the interpretative statement made by the Russian Federation, in connection with the PC decision on the extension of the mandate of the OSCE Special Monitoring Mission to Ukraine, 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 welcomes the adoption of the decision to extend the mandate of the OSCE Special Monitoring Mission to Ukraine. We thank the Serbian Chairmanship for its efforts in facilitating its extension.

We reiterate our unwavering support to Ukraine’s independence, sovereignty, unity and territorial integrity within its internationally recognized borders. We will not recognize the illegal and illegitimate annexation of Crimea and Sevastopol to the Russian Federation and we reiterate that the SMM mandate covers the whole of Ukraine, including Crimea. We call on all sides to provide security and safety and unconditional access for SMM monitors, including to all parts of the Donetsk and Luhansk regions and along the border with Russia.

The SMM has a vital role to play in the implementation of the Minsk Protocol, the Minsk Memorandum, and the package of measures for the implementation of the Minsk Agreements as the only way forward towards a sustainable political solution based on the full respect for OSCE principles and commitments.

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 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 as the Republic of Moldova and Georgia 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.