



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

PC.DEC/1239  
27 January 2017

Original: ENGLISH

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**1130th Plenary Meeting**  
PC Journal No. 1130, Agenda item 3

**DECISION No. 1239**  
**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 April 2017;
2. To approve the arrangements and the financial and human resources for the Observer Mission as contained in document PC.ACMF/74/16. In this respect, authorizes the use of 318,100 euros from the 2014 cash surplus to fund the proposed budget for the duration of the mandate to 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**

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.

Having signed the Minsk Protocol of 5 September 2014, all signatories including 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. Until now, the permanent monitoring and verification by the OSCE have not been established and a security zone in the border areas of Ukraine and Russia has not been formed. Expanding the mandate of the OSCE observation mission in Russian border checkpoints ‘Gukovo’ and ‘Donetsk’ to all sections of the border adjacent to certain areas of Donetsk and Luhansk oblasts remain critical for sustainable de-escalation and peaceful resolution of the situation in the Donbas region of Ukraine and would be a significant practical measure in implementation of a specific provision of the Minsk agreements.

We deeply regret that the Russian Federation continues to strongly resist expansion of the mandate of the OSCE observation mission in Russian border checkpoints ‘Gukovo’ and ‘Donetsk’ to all sections of the border that is temporarily not under control of the Ukrainian authorities. Such persistent reluctance on the part of Russia can only be attributed to its unchanged intention to continue intervention in Ukraine’s Donbas, including by sending heavy weapons, military equipment, regular troops, fighters and mercenaries, sponsoring the terrorist activities in the territory of Ukraine. We continue to urge Russia to immediately cease these internationally wrongful acts.

We call upon the Russian Federation to demonstrate its commitment to the implementation of the Minsk agreements in good faith. We emphasize the urgent need for effective and comprehensive permanent monitoring by the OSCE and establishment of a security zone in border areas of Ukraine and Russia. The respective proposal for a decision has been submitted by Ukraine and enjoys support of the OSCE participating States, except Russia. The Russian position on this subject remains indicative of its failure to honour the undertaken commitments.

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  
OF THE ORGANIZATION FOR SECURITY AND  
CO-OPERATION IN EUROPE**

By the delegation of the United States of America:

“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 Observer 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 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/1239  
27 January 2017  
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:

“The Russian Federation 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 three months (until 30 April 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 will be 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.”

**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 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 Macedonia<sup>1</sup>, Montenegro<sup>1</sup> and Albania<sup>1</sup>, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the European Free Trade Association countries Iceland and

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

Norway, members of the European Economic Area, as well as the Republic of Moldova, Georgia and San Marino align themselves with this statement.