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**Chairmanship: Serbia****1048th PLENARY MEETING OF THE COUNCIL**

1. Date: Thursday, 23 April 2015

Opened: 10.05 a.m.

Closed: 1.10 p.m.

2. Chairperson: Ambassador V. Žugić

The Chairperson offered condolences to the families of the migrants who lost their lives when the boat carrying them capsized in the Mediterranean on 19 April 2015. Latvia-European Union and the Holy See also extended their condolences.

3. Subjects discussed – Statements – Decisions/documents adopted:

Agenda item 1: REPORT BY THE CHIEF MONITOR OF THE OSCE  
SPECIAL MONITORING MISSION TO UKRAINE

Chairperson, Chief Monitor of the OSCE Special Monitoring Mission to Ukraine (PC.FR/14/15 OSCE+), Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Liechtenstein and Norway, members of the European Economic Area; as well as Georgia, Moldova, San Marino and Ukraine, in alignment) (PC.DEL/484/15), Russian Federation (PC.DEL/502/15), Turkey, United States of America (PC.DEL/486/15) (PC.DEL/504/15) (PC.DEL/503/15), Switzerland (PC.DEL/496/15 OSCE+), Canada, Lithuania (PC.DEL/499/15 OSCE+), Holy See (PC.DEL/501/15 OSCE+), Belarus (PC.DEL/483/15 OSCE+), Germany, Ukraine (PC.DEL/492/15 OSCE+), France

Agenda item 2: DECISION ON THE TOPICS FOR THE SECOND PART OF  
THE HUMAN DIMENSION IMPLEMENTATION  
MEETING

Chairperson

**Decision:** The Permanent Council adopted Decision No. 1167 (PC.DEC/1167) on the topics for the second part of the Human Dimension Implementation Meeting, the text of which is appended to this journal.

Agenda item 3:           DECISION ON THE AGENDA FOR THE 2015 HUMAN  
DIMENSION IMPLEMENTATION MEETING

Chairperson

**Decision:** The Permanent Council adopted Decision No. 1168 (PC.DEC/1168/Corr.1) on the agenda for the 2015 Human Dimension Implementation Meeting, the text of which is appended to this journal.

Agenda item 4:           REVIEW OF CURRENT ISSUES

- (a) *Abduction and illegal detention of Ukrainian citizens by the Russian Federation:* Ukraine (PC.DEL/493/15 OSCE+), Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association country Norway, member of the European Economic Area; as well as Georgia, Moldova, San Marino and Ukraine, in alignment) (PC.DEL/485/15), United States of America (PC.DEL/490/15), Canada, Russian Federation
- (b) *Sentencing of Mr. R. Jafarov and Mr. I. Aliyev in Azerbaijan:* Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; and the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina, in alignment) (PC.DEL/487/15), United States of America (PC.DEL/489/15), Canada, Norway, Azerbaijan (PC.DEL/495/15 OSCE+)
- (c) *The death penalty in the United States of America:* Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; as well as Moldova, Monaco, San Marino and Ukraine, in alignment) (PC.DEL/500/15), United States of America
- (d) *Situation in the occupied territories of the Republic of Azerbaijan:* Azerbaijan (Annex)
- (e) *Conference on the implementation of United Nations Security Council resolution 1325 on Women and Peace and Security, held in Vilnius on 20 April 2015:* Lithuania (PC.DEL/498/15 OSCE+), United States of America
- (f) *Excessive use of force by the police in the United States of America:* Azerbaijan (PC.DEL/497/15 OSCE+), United States of America

Agenda item 5:           REPORT ON THE ACTIVITIES OF THE  
                                  CHAIRPERSON-IN-OFFICE

- (a)    *OSCE-wide Conference on Security Sector Governance and Reform, held in Belgrade on 21 April 2015: Chairperson (CIO.GAL/52/15)*
- (b)    *Ministerial Troika meeting, to be held in Belgrade on 28 April 2015: Chairperson (CIO.GAL/52/15)*
- (c)    *Visit of the OSCE Chairperson-in-Office to Bosnia and Herzegovina on 28 and 29 April 2015: Chairperson (CIO.GAL/52/15)*

Agenda item 6:           REPORT OF THE SECRETARY GENERAL

- (a)    *Visit of the Secretary General to Vilnius on 19 and 20 April 2015 (SEC.GAL/78/15 OSCE+): Secretary General*
- (b)    *Fourth Moscow Conference on International Security, held in Moscow from 15 to 17 April 2015 (SEC.GAL/78/15 OSCE+): Secretary General*
- (c)    *High-level panel discussion on The Use of Evaluation in Evidence-Based Policy Making: “Accountability and Learning: Getting to Results and Impact”, held in Vienna on 21 April 2015 (SEC.GAL/78/15 OSCE+): Secretary General*
- (d)    *Extension of the vacancy notice for the post of Deputy Head of the OSCE Office in Yerevan (SEC.GAL/78/15 OSCE+): Secretary General*
- (e)    *Conference on Strengthening Peace and Security Co-operation towards Democracy and Development, to be held in Vienna on 29 and 30 April 2015 (SEC.GAL/78/15 OSCE+): Secretary General*

Agenda item 7:           ANY OTHER BUSINESS

- (a)    *National action plan against racism and anti-Semitism: France (PC.DEL/491/15)*
- (b)    *The issue of migration in the Mediterranean region: Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association country Norway, member of the European Economic Area; as well as Andorra, Moldova, Monaco, San Marino and Ukraine, in alignment) (PC.DEL/488/15/Rev.1), Holy See*

4.    Next meeting:

Thursday, 30 April 2015, at 10 a.m., in the Neuer Saal



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**1048th Plenary Meeting**

PC Journal No. 1048, Agenda item 4(d)

**STATEMENT BY THE DELEGATION OF AZERBAIJAN**

Mr. Chairperson,

The Delegation of the Republic of Azerbaijan would like to draw the attention of the Permanent Council to the illegal economic activities carried out in the occupied territories of the Republic of Azerbaijan with the involvement of nationals and legal persons of certain OSCE participating States.

Relevant authorities of the Republic of Azerbaijan has drawn up the list of the companies involved in illegal economic activities in the occupied territories and consider to take necessary legal and administrative measures in accordance with the international law and national legislation of Azerbaijan.

Such activities, besides generating illicit profit for these companies, are used by the Government of the Republic of Armenia to prolong the status quo in the conflict zone and include, among others, systematic interference with property rights of hundred thousands of Azerbaijani internally displaced persons creating further obstacles for return to their homes.

We wish to recall that the international law prohibits the acquisition of territory by the use of force. Any military occupation is considered temporary in nature and does not imply transfer of sovereignty over the occupied territory. As such the legislation of the Republic of Azerbaijan is the only legitimate framework applicable to economic; social, and cultural or any other activity in the occupied territories.

In situations of military occupation private and public property is particularly protected and relevant international law norms apply both to the physical integrity and to the ownership of such property. Private property in the occupied territories cannot be confiscated, the capital of public property must be safeguarded, and destruction of private and public property is forbidden.

Accordingly, any economic activity in the occupied territories runs contrary to the international law, as well as national legislation of the Republic of Azerbaijan and creates criminal liability. Thus, any legal person engaged in economic activities within the territory of the Republic of Azerbaijan has to be registered in accordance with the relevant provisions of the tax legislation of Azerbaijan. Any violation of these regulations will be considered as tax and corporate crimes under the respective legislation (including Article 13.2.16 and 33.1

of the Tax Code of the Republic of Azerbaijan and Article 213 of the Penal Code of the Republic of Azerbaijan).

In this regard, we recall the commitments of the OSCE participating States to encourage their business community to take into account in their activities the social, humanitarian, environmental and security needs of the participating States, as envisaged in the OSCE Maastricht Strategy Document of 2003 and Dublin Declaration on Good Governance of 2012.

We further refer to the Article 8(f) of the “Doha Declaration” adopted at the 13th UN Crime Congress few days ago by consensus of all UN Member States, including Armenia, which calls the UN Member States:

“To develop strategies to prevent and combat all illicit financial flows and emphasize the urgent need to adopt more effective measures to fight against economic and financial crimes, including fraud, as well as tax and corporate crimes, especially in their relevant transnational dimensions”.

Article 5 of the Declaration also reaffirmed the commitment and strong political will of all UN Member States in support of effective, fair, humane and accountable criminal justice systems and institutions comprising them, while respecting fully the principles of sovereignty and territorial integrity of States.

In the light of the above-mentioned OSCE commitments and international law obligations and being mindful of the purposeful efforts of Armenia and the Armenian Diaspora towards engaging third-country nationals and companies in various forms of illegal activities in the occupied territories, the Azerbaijani side requests all OSCE participating States to take into account and inform their citizens, companies and legal entities as widely as possible that any transactions entered into with Armenia, its organs, natural and legal persons as well as with its subordinate separatist regime or any other individuals in relation to the Nagorno-Karabakh region and other occupied territories of Azerbaijan are unlawful due to applicable international law, the legislation of Azerbaijan and the illegality of the separatist regime established by Armenia on the occupied territories. Those involved in transactions perform at their own risk. Azerbaijan, the only country possessing the internationally recognized sovereignty over those territories, will never recognize such activities; their protection will not be provided through regular diplomatic and consular channels; they will not be legitimized after the final resolution of the conflict and all arrangements which provide the basis for altering the physical integrity and ownership of such property will be challenged and abrogated once Azerbaijani sovereignty over the occupied territories is restored.

Furthermore, we request the OSCE participating States not to allow imports/exports, sale and realization of any products produced in the Nagorno-Karabakh region and other occupied territories of Azerbaijan or products which were produced through utilization of resources shipped from those territories, as well as not to allow any sort of advertising and marketing activities under whatever label of products originating from there.

The Delegation of the Republic of Azerbaijan wishes to share the list of companies pursuing illegal activities in the occupied Azerbaijani territories with the participating States

concerned and intends to hold bilateral consultations with them. We will inform the Permanent Council on the results of these consultations, in due course.

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

I thank you, Mr. Chairperson.



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

PC.DEC/1167  
23 April 2015

Original: ENGLISH

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**1048th Plenary Meeting**  
PC Journal No. 1048, Agenda item 2

**DECISION No. 1167  
TOPICS FOR THE SECOND PART OF THE HUMAN DIMENSION  
IMPLEMENTATION MEETING**

The Permanent Council,

Recalling its Decision No. 476 (PC.DEC/476) of 23 May 2002 on the modalities for OSCE meetings on human dimension issues,

Decides to select the following topics for the second part of the 2015 Human Dimension Implementation Meeting: “Challenges to the enjoyment of fundamental freedoms and human rights in the age of new information and communication technologies, including the respect for privacy”, “Independence of the judicial system, with a particular focus on accountability and integrity of judges and prosecutors”, “Combating hate crimes and ensuring effective protection against discrimination”.

**1048th Plenary Meeting**

PC Journal No. 1048, Agenda item 3

**DECISION No. 1168  
AGENDA FOR THE 2015 HUMAN DIMENSION  
IMPLEMENTATION MEETING**

The Permanent Council,

Recalling Decision No. 476 (PC.DEC/476) of 23 May 2002 on the modalities for OSCE meetings on human dimension issues,

Further recalling the provisions of the Helsinki Document 1992, Chapter I and Chapter VI, paragraph 9,

Recalling also its Decision No. 1163 (PC.DEC/1163) of 19 March 2015 on the dates for the 2015 Human Dimension Implementation Meeting (HDIM) and Decision No. 1167 (PC.DEC/1167) of 23 April 2015 on the topics for the second part of the 2015 HDIM,

Decides to adopt the agenda for the 2015 Human Dimension Implementation Meeting as set out in the annex.

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1 Reissued due to a technical error.



## **AGENDA FOR THE 2015 HUMAN DIMENSION IMPLEMENTATION MEETING**

Warsaw, 21 September–2 October 2015

### **Monday, 21 September 2015**

- 10 a.m.–1 p.m.      Opening plenary session
- 1–3 p.m.            Break
- 3–6 p.m.            Working session 1: Fundamental freedoms I, including:
- Address by the OSCE Representative on Freedom of the Media
  - Freedom of expression, free media and information

### **Tuesday, 22 September 2015**

- 10 a.m.–1 p.m.      Working session 2 (specifically selected topic): Challenges to the enjoyment of fundamental freedoms and human rights in the age of new information and communication technologies, including the respect for privacy
- 1–3 p.m.            Break
- 3–6 p.m.            Working session 3 (specifically selected topic): Challenges to the enjoyment of fundamental freedoms and human rights in the age of new information and communication technologies, including the respect for privacy (continued)

### **Wednesday, 23 September 2015**

- 10 a.m.–1 p.m.      Working session 4: Fundamental freedoms I (continued), including:
- Freedom of peaceful assembly and association
  - National human rights institutions and the role of civil society in the protection of human rights
  - Human rights education
- 1–3 p.m.            Break

- 3–6 p.m. Working session 5: Tolerance and non-discrimination I, including:
- Address by the OSCE Special Representative/Senior Adviser on Gender Issues
  - Equal opportunity for women and men in all spheres of life, including through implementation of the OSCE Action Plan for the Promotion of Gender Equality
  - Prevention of violence against women and children

**Thursday, 24 September 2015**

- 10 a.m.–1 p.m. Working session 6 (specifically selected topic): Independence of the judicial system, with a particular focus on accountability and integrity of judges and prosecutors
- 1–3 p.m. Break
- 3–6 p.m. Working session 7 (specifically selected topic): Independence of the judicial system, with a particular focus on accountability and integrity of judges and prosecutors (continued)

**Friday, 25 September 2015**

- 10 a.m.–1 p.m. Working session 8: Rule of law, including:
- Prevention of torture
  - Exchange of views on the question of abolition of capital punishment
  - Protection of human rights and fighting terrorism
- 1–3 p.m. Break
- 3–6 p.m. Working session 9: Democratic institutions, including:
- Democratic elections
  - Democracy at the national, regional and local levels
  - Democratic law-making
  - Citizenship and political rights

**Monday, 28 September 2015**

- 10 a.m.–1 p.m. Working session 10: Fundamental freedoms II, including:
- Freedom of movement
  - Treatment of citizens of other States
  - Migrant workers, the integration of legal migrants

- 1–3 p.m. Break
- 3–6 p.m. Working session 11: Humanitarian issues and other commitments, including:
- Address by the OSCE Special Representative/Co-ordinator for Combating Trafficking in Human Beings
  - Combating trafficking in human beings
  - Refugees and displaced persons

**Tuesday, 29 September 2015**

- 10 a.m.–1 p.m. Working session 12 (specifically selected topic): Combating hate crimes and ensuring effective protection against discrimination
- 1–3 p.m. Break
- 3–6 p.m. Working session 13 (specifically selected topic): Combating hate crimes and ensuring effective protection against discrimination (continued)

**Wednesday, 30 September 2015**

- 10 a.m.–1 p.m. Working session 14: Tolerance and non-discrimination II, including:
- Combating racism, xenophobia and discrimination, also focusing on intolerance and discrimination against Christians and members of other religions
  - Combating anti-Semitism
  - Combating intolerance and discrimination against Muslims
- 1–3 p.m. Break
- 3–6 p.m. Working session 15: Fundamental freedoms II (continued), including:
- Freedom of thought, conscience, religion or belief

**Thursday, 1 October 2015**

- 10 a.m.–1 p.m. Working session 16: Tolerance and non-discrimination I (continued), including:
- Roma and Sinti issues, including: Implementation of the OSCE Action Plan on Improving the Situation of Roma and Sinti

- 1–3 p.m. Break
- 3–6 p.m. Working session 17: Tolerance and non-discrimination II (continued), including:
- Address by the OSCE High Commissioner on National Minorities
  - Rights of persons belonging to national minorities
  - Preventing aggressive nationalism, racism and chauvinism

**Friday, 2 October 2015**

- 10 a.m.–1 p.m. Working session 18: Discussion of human dimension activities (with special emphasis on project work)
- Presentation of activities of the ODIHR and other OSCE institutions and field operations to implement priorities and tasks contained in the relevant OSCE decisions and other document
- Closing reinforced plenary session (reinforced by the participation of human rights directors, OSCE ambassadors and heads of OSCE institutions)
- Any other business