
Chairmanship: Austria**1144th PLENARY MEETING OF THE COUNCIL**1. Date: Thursday, 4 May 2017

Opened: 10.05 a.m.
Suspended: 12.50 p.m.
Resumed: 3.05 p.m.
Closed: 4.45 p.m.

2. Chairperson: Ambassador C. Koja3. Subjects discussed – Statements – Decisions/documents adopted:

Agenda item 1: **REPORT BY THE CHIEF OBSERVER OF THE OSCE
OBSERVER MISSION AT TWO RUSSIAN CHECKPOINTS
ON THE RUSSIAN-UKRAINIAN BORDER**

Chairperson, Chief Observer of the OSCE Observer Mission at two Russian Checkpoints on the Russian-Ukrainian Border (PC.FR/9/17 OSCE+), Malta-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; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Georgia, Moldova, San Marino and Ukraine, in alignment) (PC.DEL/611/17), United States of America (PC.DEL/577/17), Switzerland (PC.DEL/601/17 OSCE+), Turkey (PC.DEL/617/17 OSCE+), Ukraine (PC.DEL/590/17), Russian Federation (PC.DEL/595/17)

Agenda item 2: **UPDATE ON THE EXTENSION OF THE MANDATE OF
THE OSCE OFFICE IN YEREVAN**

Chairperson (Annex 1), Secretary General, Malta-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Montenegro and Serbia; 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 San Marino, in alignment) (Annex 2), United States of America (PC.DEL/579/17), Switzerland (PC.DEL/598/17 OSCE+), Russian Federation (Annex 3), Armenia (Annex 4), Azerbaijan (Annex 5)

Agenda item 3: REVIEW OF CURRENT ISSUES

Chairperson

- (a) *Russia's ongoing aggression against Ukraine and illegal occupation of Crimea*: Ukraine (PC.DEL/592/17), Malta-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; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Georgia and Moldova, in alignment) (PC.DEL/612/17), Switzerland (PC.DEL/597/17 OSCE+), Turkey (PC.DEL/618/17 OSCE+), United States of America (PC.DEL/584/17), Canada
- (b) *Situation in Ukraine and the need to implement the Minsk agreements*: Russian Federation (PC.DEL/596/17/Corr.1), Ukraine
- (c) *Violence in the Parliament of the former Yugoslav Republic of Macedonia*: Chairperson, United States of America (PC.DEL/583/17), Malta-European Union (with the candidate countries Albania and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Canada, Moldova and Ukraine in alignment) (PC.DEL/613/17), Switzerland (PC.DEL/594/17 OSCE+), Russian Federation (PC.DEL/603/17), Turkey (PC.DEL/606/17 OSCE+), Albania (PC.DEL/608/17 OSCE+), the former Yugoslav Republic of Macedonia (PC.DEL/610/17 OSCE+)
- (d) *Designation under Russian law of so-called "undesirable" non-governmental organizations – Open Russia, the Open Russia Civic Movement and the Institute of Modern Russia*: United States of America (PC.DEL/585/17), Malta-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; the European Free Trade Association country Norway, member of the European Economic Area; as well as Georgia and Ukraine, in alignment) (PC.DEL/614/17/Rev.1), Russian Federation (PC.DEL/604/17)
- (e) *Human rights violations in the United States of America*: Russian Federation (PC.DEL/600/17), United States of America
- (f) *Seventy-second anniversary of victory in the Great Patriotic War, to be observed on 9 May 2017*: Belarus (also on behalf of Armenia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan, Turkmenistan and Uzbekistan)

(PC.DEL/581/17), Azerbaijan (PC.DEL/587/17 OSCE+), Armenia, Germany (PC.DEL/605/17 OSCE+)

- (g) *World Press Freedom Day, celebrated on 3 May 2017*: Chairperson, Malta-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 Andorra and Moldova, in alignment) (PC.DEL/616/17), Russian Federation (PC.DEL/599/17), Switzerland (also on behalf of Canada, Iceland, Liechtenstein and Norway) (PC.DEL/602/17 OSCE+), United States of America (PC.DEL/588/17), Canada, Ukraine (PC.DEL/593/17), Azerbaijan (PC.DEL/589/17 OSCE+), Turkey (PC.DEL/619/17 OSCE+)
- (h) *Call for an investigation into the death of Mr. M. Galandarov*: United States of America (PC.DEL/586/17), Azerbaijan (PC.DEL/591/17 OSCE+)

Agenda item 4: REPORT ON THE ACTIVITIES OF THE
 CHAIRPERSON-IN-OFFICE

- (a) *Update on the consultations on the new mandate for the OSCE Office in Tajikistan*: Chairperson
- (b) *Update on the selection processes for the positions of Secretary General of the OSCE and Director of the Office for Democratic Institutions and Human Rights*: Chairperson
- (c) *Update on the selection process for the position of OSCE Representative on Freedom of the Media*: Chairperson
- (d) *Intersessional OSCE Dialogue on Military Doctrines, being held on 4 and 5 May 2017*: Chairperson
- (e) *Informal meeting of the OSCE Ministers for Foreign Affairs, to be held in Mauerbach, Austria, on 11 July 2017*: Chairperson

Agenda item 5: REPORT OF THE SECRETARY GENERAL

- (a) *Announcement of the distribution of a written report of the Secretary General (SEC.GAL/69/17 OSCE+)*: Director/Co-ordinator of Activities to Address Transnational Threats
- (b) *Investigation into the tragic incident of 23 April 2017 involving a patrol of the Special Monitoring Mission to Ukraine*: Director/Co-ordinator of Activities to Address Transnational Threats (SEC.GAL/69/17 OSCE+)

Agenda item 6: ANY OTHER BUSINESS

- (a) *Farewell to the Permanent Representative of Finland to the OSCE, Ambassador K. Pehrman: Dean of the Permanent Council (Liechtenstein), Finland, Chairperson*
- (b) *Parliamentary elections in Malta, to be held on 3 June 2017: Malta*

4. Next meeting:

Thursday, 11 May 2017, at 10 a.m., in the Neuer Saal



1144th Plenary Meeting

PC Journal No. 1144, Agenda item 2

STATEMENT BY THE CHAIRPERSON

During the past four months, the extension of the mandate of the OSCE Office in Yerevan has been one of the major issues of the Austrian OSCE Chairmanship. We do all here recall this complex discussion and the very last meeting of the Preparatory Committee and Permanent Council on 31 December 2016, when, despite all efforts by the German Chairmanship, this question could not be solved and continued to be of concern to all of us.

The Austrian Chairmanship remains convinced that the work of the Office in Yerevan is beneficial to Armenia and the entire region. It is important to us that participating States that are ready to host OSCE field operations are able to have access to this kind of partnership. With this goal, negotiations were led, making use of different approaches, involving the Troika partners, the Secretariat, Special Representatives and other important actors. After the issue of the humanitarian demining programme had been settled, Armenia constructively joined consensus on the mandates of other OSCE field missions. Unfortunately, however, the following negotiations on the extension of the mandate of the Office in Yerevan focusing on how to reaffirm that the activities of the Office do not touch upon the Nagorno-Karabakh conflict, proved to be extraordinary difficult.

In the interest of brokering a compromise solution, the political level was involved as well. The Chairperson-in-Office met his counterparts from Armenia and Azerbaijan. The Secretary General and his team supported the chair in these endeavours. When the former Federal President of Austria, Dr. Heinz Fischer, travelled to Yerevan and Baku on 21–22 of April, he touched upon the issue at his talks with both Presidents.

Taking into account the positions and views expressed by both sides, we put on the table compromise proposals that to our mind could have presented a solution, which however was not the case. The negotiations have taken four months without the Office being operational and without providing a perspective for a solution.

Therefore, the Chairmanship regretfully has to conclude that all options have been exhausted at this stage regarding this mission without having generated a solution. Nevertheless we will continue to look into alternative scenarios that would enable an engagement of the OSCE in the Southern Caucasus.

Hereby, I have to inform the Secretary General of the OSCE accordingly and pass the floor to him.

This statement will be attached to the journal of the day.



1144th Plenary Meeting
PC Journal No. 1144, Agenda item 2

**STATEMENT BY
THE REPRESENTATIVE OF THE EUROPEAN UNION**

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:

The EU very much values the good work that the Office in Yerevan is carrying out and deeply regrets that it has not been possible to extend the office's mandate – as has just been confirmed by the Secretary General. We welcome in particular their preparation of work ahead of the parliamentary elections in Armenia. It is deeply regrettable, therefore, that the Office will now not be able to assist the Government of Armenia in implementing reforms across the range of OSCE pillars, in particular the outstanding OSCE/ODIHR and Council of Europe Venice Commission recommendations.

We believe that the concerns raised by Azerbaijan have been addressed by the Austrian Chairmanship's decision to end demining activities and by the commitment that the Office in Yerevan would not engage in such activities in future. We commend the efforts of the Chairmanship in their attempt to find agreement on this issue, including through the engagement of the Former President of Austria, Heinz Fischer, and regret that they were unsuccessful. We reiterate the importance of a continued OSCE presence in the region, which is a vital tool in assisting participating States in the fulfilment of their OSCE commitments.

We also reiterate our support to all elements forming part of the OSCE architecture on the Nagorno-Karabakh conflict, including the valuable work carried out by the Personal Representative of the Chairperson-in-Office on the conflict dealt with by the Minsk conference and his office, as well as by the High-Level Planning Group.

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 countries Liechtenstein and Norway, members of the European Economic Area, as well San Marino 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.



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

PC.JOUR/1144
4 May 2017
Annex 3

ENGLISH
Original: RUSSIAN

1144th Plenary Meeting
PC Journal No. 1144, Agenda item 2

**STATEMENT BY
THE DELEGATION OF THE RUSSIAN FEDERATION**

Mr. Chairperson,

We note the efforts of the Austrian OSCE Chairmanship to find a solution that would suit all the participating States, which would have allowed the work of the OSCE Office in Yerevan to continue. Unfortunately, the steps taken did not result in a compromise. This is most regrettable.

The Office in Yerevan is one of the most effective OSCE field presences. It has made a substantial contribution to assisting the authorities of the host State in advancing the reform agenda on a wide range of issues and in addressing other practical issues in line with the priorities of the Armenian Government. The Office works in a depoliticized and balanced manner, paying equal attention to all three OSCE dimensions. The activities are developed in close co-ordination with the host authorities and have always received high praise from both the authorities in Yerevan and local civil society.

We note that the assistance to the Armenian authorities was aimed exclusively at national capacity-building, carried out within the State borders of Armenia and did not affect the interests of third countries.

We trust that the disagreements that have arisen regarding the activities of the OSCE Office in Yerevan will not affect co-operation in other areas of our Organization's work.

We request that this statement be appended to the journal of the day.

Thank you for your attention.



1144th Plenary Meeting
PC Journal No. 1144, Agenda item 2

STATEMENT BY THE DELEGATION OF ARMENIA

Mr. Chairperson,

We took note of the information of the Austrian Chairmanship on the current state of affairs regarding the extension of the mandate of the OSCE Office in Yerevan.

We reiterate our firm support to the OSCE Office in Yerevan, its mandate and activities.

Armenia has demonstrated good faith and constructive approach in its efforts to help the OSCE Chairmanship to overcome the stalemate imposed by apparent attempts of one participating State, namely Azerbaijan to close the last OSCE full-fledged mission in the South Caucasus.

First, despite the clear-cut assessment of the OSCE previous German and current Austrian Chairmanships and the OSCE Secretariat that the Office did not violate its mandate by engaging in humanitarian demining activities, the Armenian side, as a gesture of good will and for the sake of contributing to the solution of this issue, agreed to the proposal of the Austrian Chairmanship to request the Office to abstain from this programmatic activity.

Second, the Armenian side agreed to another proposal of the Austrian Chairmanship to deliver a statement on behalf of the OSCE Troika which would reflect the understanding that the activities of the Office do not encompass the Nagorno-Karabakh conflict resolution. We agreed to this compromise despite the fact that the gentlemen's agreement on non-interference in the conflict resolution matters referred to both OSCE Offices in Yerevan and Baku and has never been formalized in a written form. After Azerbaijan closed the Baku Office, the Yerevan Office has not been bound unilaterally by the said understanding. However, the Office has never executed any activity within the context of the Nagorno-Karabakh conflict resolution.

Finally, following the visit of the former President of Austria Heinz Fischer, Armenia gave its consent to formalize the above understanding in a written form as a draft decision on the extension of the mandate.

To put the record straight we attach to this statement the final version of the draft decision on the extension of the mandate of the OSCE Office in Yerevan to which Armenia

gave its consent. It vividly demonstrates Armenia's resolve to save the Office amid Azerbaijan's consistently increasing unsubstantiated claims that have only one objective: to close the OSCE Office in Yerevan.

Mr. Chairperson,

During this period Azerbaijan has consistently derailed all the proposals made by two consecutive Chairmanships and their distinguished dignitaries, OSCE Secretariat and interested delegations. Azerbaijani side singlehandedly has been breaking the consensus on the extension of the mandate of the OSCE Office in Yerevan and impeding the work of the OSCE by a manipulative exercise.

Azerbaijan started blocking the decision first by referring to the absence of instructions from the capital, then it demanded removal of one programmatic activity. However, Azerbaijan rejected to join the consensus even when the Office suspended the said programmatic activity. Then Azerbaijan refused to agree to the Chairmanship's statement reflecting the understanding on the mandate of the Office, afterwards it insisted on the formalizing of the understanding in a form of a draft decision and finally once all these points were met it brought new unrelated demands, which are apparently designed to kill the draft decision on the extension of mandate. Azerbaijan went so far as to insist on the definition of Nagorno-Karabakh conflict which is in contradiction to the language of the OSCE Summits and Ministerial Councils, as well as its own statements adopted together with Armenia and the Minsk Group Co-Chair countries.

Mr. Chairperson,

Azerbaijan has already downgraded and then closed OSCE Office in Baku and as it moves towards closure of another Office in South Caucasus a clear reaction of the Organization is required.

The OSCE Office in Yerevan has been a common endeavour of OSCE, its Chairmanship, Secretariat and all participating States. It is an asset of the entire Organization, not a bilateral dispute, as Azerbaijan tries to portray. The negative impact of this situation created by Azerbaijan threatens to go far beyond merely the issue of an OSCE Office and may well challenge the integrity of the field missions and the principles of co-operation and good will which lay in the foundation of this Organization. Undoubtedly, the closure of the Office by Azerbaijan will lead to a number of implications.

It is regrettable, that the Austrian Chairmanship despite all its efforts has not been able to clearly acknowledge destructive policy of Azerbaijan towards the last full-fledged OSCE mission in South Caucasus and protect the integrity of the OSCE field missions. Azerbaijan exploited this opportunity to increasingly harden its destructive position towards the OSCE integrity. The conclusion, which our Delegation may reluctantly draw from this process is that in this consensus-based Organization even the long established and exemplary activities of the OSCE can become a casualty to narrow interests of a single participating State in the environment of absence of the appropriate reaction.

It is in this environment that a participating State, like Azerbaijan, with a dire record of non-compliance to the OSCE commitments dares to challenge everything that this Organization stands for, namely the security and co-operation in Europe.

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

Thank you.

PC.JOUR/1144

4 May 2017

Annex 4

Attachment

Original: ENGLISH

DRAFT DECISION

PP1

Noting the wish of all participating states to continue co-operation in all three OSCE dimensions between the OSCE and the Republic of Armenia through a continued OSCE presence and activities in the country under the existing mandate of the OSCE Office in Yerevan,

PP2

Recalling the statements of German Chairmanship (CIO.GAL/223/16 31 December 2016) and Austrian Chairmanship (CIO.GAL/10/17 30 January 2017) on the extension of the mandate of the OSCE Office in Yerevan and the long standing understanding according to which, since its establishment, the activities of the OSCE Office in Yerevan, do not touch upon the Nagorno-Karabakh conflict resolution,

OP1

The Permanent Council decides to extend the mandate of the OSCE Office in Yerevan until 31 December 2017.



1144th Plenary Meeting

PC Journal No. 1144, Agenda item 2

STATEMENT BY THE DELEGATION OF AZERBAIJAN

Mr. Chairperson,

The delegation of the Republic of Azerbaijan takes note of the statement by the Chairperson-in-Office and regrets the failure to reach consensus on the extension of the mandate of the OSCE Office in Yerevan. The position of Azerbaijan on the subject has been explained on numerous occasions and can be learned from our statements. Nevertheless, I would like to reiterate the following points for the record.

The situation we face today is a grim manifestation of the crisis management capacity of the OSCE. A failure to respond to the legitimate concerns of the OSCE participating States has elevated a technical problem to the level of a crisis.

Over the last three years, Azerbaijan has consistently raised its concerns about the demining-related activities of the OSCE Office in Yerevan, and called for those concerns to be addressed. The information from public sources, primarily Armenian, which we have presented to the OSCE, as well as information received from the Office in Yerevan on 8 December 2016, provides sufficient and convincing evidence that, firstly, the demining-related activities of the Office are directly related to the Armenia-Azerbaijan conflict and secondly, that the geographic scope of the activities of the recipients of assistance from the Office extends to the occupied territories of Azerbaijan.

I would like to stress that the Republic of Azerbaijan has been committed to engaging constructively with a view to finding a solution to the problem of the extension of the mandate of the OSCE Office in Yerevan. Back in December 2016, we accepted that, as a compromise, a Chairmanship directive issued with a proper OSCE reference number and distributed to all participating States could represent a way out of current impasse. However, the Chairmanship refused to attach an OSCE reference number to this guidance and to distribute it to all participating States in the spirit of transparency and joint ownership that we thought existed in the Organization.

Tolerance of open hostage-taking and blackmail by Armenia further complicated the situation. Rather than working with Azerbaijan to address our country's concerns and swiftly put in place appropriate safeguards and assurances that would prevent such a deplorable situation from reoccurring in the future, preference was given to covering up the violation of the Office's mandate by asserting that the demining-related assistance was within the scope

of that mandate. Notably, this has happened against the background of the provision of official information by the Office in Yerevan that its demining-related assistance is directly related to the conflict and the confirmation by the primary recipient of this assistance itself – the Center for Humanitarian Demining and Expertise (CHDE) – that it has an interest in and is involved in the demining-related activities in the occupied territories of Azerbaijan.

This created ambiguity with regard to the scope of the Office's mandate. The Republic of Azerbaijan cannot accept such a misinterpretation of the mandate of a field mission, which contravenes the understanding reached at the time when this Office was opened that its mandate would not include activities related to the Armenia-Azerbaijan armed conflict, let alone extend to the occupied territories of Azerbaijan.

Under these circumstances, the only remaining option to rectify the situation was to clarify the Office's mandate through a Permanent Council decision that would stipulate, in accordance with the consensus within the Organization, that the OSCE Office in Yerevan is not entitled to be involved in any activity related to the conflict dealt with by the OSCE Minsk Conference and its settlement process. Azerbaijan submitted its proposal on a draft Permanent Council decision and was ready to engage constructively on this issue.

As a result of intensive consultations with the Chairmanship and in light of the visit by the former President of Austria, Heinz Fischer, to Armenia and Azerbaijan in April 2017, as a compromise, we agreed in principle to support the draft Permanent Council decision proposed by the Austrian Chairmanship. This draft decision would have extended the mandate of the Office in Yerevan, while specifically identifying the scope and geographic limits for the activities and assistance of the Office. If this decision had been adopted, it would have reaffirmed that the activities of the OSCE Office in Yerevan are confined exclusively to the territory of the Republic of Armenia and may in no way include any matter related to the conflict dealt with by the Minsk Conference and its settlement process.

Our readiness to join the consensus on the Permanent Council decision proposed by the Chairmanship is a gesture of goodwill by Azerbaijan, whose territories have been occupied by neighbouring Armenia, to allow the OSCE Office in that country to continue to operate.

However, the stance of the delegation of Armenia has clearly shown that Armenia is not genuinely interested in finding a compromise solution to the issue, which has been clear to Azerbaijan from the outset. Instead, Armenia clearly wishes to adhere to its notoriously unconstructive and uncompromising position. Otherwise, it is simply incomprehensible that after all these months of consultations, when we thought that agreement was finally within reach, Armenia should, among other things, start to insist that the conflict be referred to in a particular way, a matter long since resolved within the OSCE on the basis of a compromise. Obviously, by bringing the issue of the naming of the conflict back onto the agenda, a matter which cannot be resolved, Armenia deliberately undermined the remaining slim chances of resolving this situation.

The Republic of Azerbaijan has gone to great lengths to arrive at this compromise solution and we regret that there is no consensus on the draft decision of the Permanent Council.

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

Thank you, Mr. Chairperson.