

Chairmanship: Sweden

1326th PLENARY MEETING OF THE COUNCIL

1. Date: Thursday, 29 July 2021 (in the Neuer Saal and via video teleconference)

Opened: 10 a.m.

Closed: 1.35 p.m.

2. Chairperson: Ambassador U. Funered

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

Agenda item 1: REVIEW OF CURRENT ISSUES

Chairperson

- (a) *Russia's ongoing aggression against Ukraine and illegal occupation of Crimea*: Ukraine (PC.DEL/1242/21), Switzerland (PC.DEL/1212/21 OSCE+), Slovenia-European Union (with the candidate countries Albania, Montenegro and North Macedonia; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Georgia, Moldova, and Ukraine, in alignment) (PC.DEL/1248/21), United States of America (PC.DEL/1213/21), United Kingdom, Canada (PC.DEL/1238/21 OSCE+), Turkey (PC.DEL/1240/21 OSCE+)
- (b) *Deteriorating situation in Ukraine and continued non-implementation by the Ukrainian authorities of the Minsk agreements*: Russian Federation (PC.DEL/1214/21), Georgia, Ukraine, Slovenia-European Union, France (also on behalf of Germany) (PC.DEL/1244/21), United States of America (PC.DEL/1225/21)
- (c) *World Day against Trafficking in Persons, observed on 30 July 2021*: Slovenia-European Union (with the candidate countries Albania, Montenegro, North Macedonia and Serbia; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Andorra, Georgia,

Moldova, San Marino and Ukraine, in alignment) (PC.DEL/1246/21), United States of America (PC.DEL/1223/21), Canada (also on behalf of Norway) (PC.DEL/1233/21), United Kingdom, Belarus (PC.DEL/1215/21 OSCE+), Russian Federation (PC.DEL/1216/21), Turkey (PC.DEL/1239/21 OSCE+)

- (d) *Recent developments in Belarus*: Slovenia-European Union (with the candidate countries Albania, Montenegro, North Macedonia and Serbia; as well as Georgia and Ukraine, in alignment) (PC.DEL/1247/21), United States of America (PC.DEL/1218/21), United Kingdom, Norway (also on behalf of Canada and Iceland), Belarus (PC.DEL/1221/21 OSCE+)
- (e) *Gross and systematic violations by Ukraine of human rights and fundamental freedoms, including the rights of national minorities*: Russian Federation (PC.DEL/1219/21) (PC.DEL/1220/21), Ukraine (PC.DEL/1241/21)
- (f) *Aggression of Azerbaijan against Artsakh and Armenia with the direct involvement of Turkey and foreign terrorist fighters*: Armenia (Annex 1)
- (g) *Continuous flagrant violation of human rights by the secessionist regime in the Transdniestrian region of the Republic of Moldova*: Moldova (Annex 2), United States of America (also on behalf of Canada) (PC.DEL/1222/21), United Kingdom, Slovenia-European Union (with the candidate countries Albania, Montenegro, North Macedonia and Serbia; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Georgia, in alignment) (PC.DEL/1249/21)
- (h) *Recent developments in Lithuania in the context of migration issues*: Belarus (PC.DEL/1243/21 OSCE+), Lithuania (PC.DEL/1245/21 OSCE+)

Agenda item 2: REPORT ON THE ACTIVITIES OF THE
 CHAIRPERSON-IN-OFFICE

Second ambassadorial retreat, to be held on 13 and 14 September 2021: Chairperson

Agenda item 3: REPORT OF THE SECRETARY GENERAL

- (a) *Announcement of the distribution of a written report of the Secretary General* (SEC.GAL/110/21 OSCE+): Co-ordinator of OSCE Economic and Environmental Activities
- (b) *Update on the COVID-19 situation in the OSCE Secretariat*: Co-ordinator of OSCE Economic and Environmental Activities (SEC.GAL/110/21 OSCE+)
- (c) *Opening remarks by the Secretary General to a special meeting of the OSCE Asian Partners for Co-operation Group, held in Vienna and via video teleconference on 23 July 2021*: Co-ordinator of OSCE Economic and Environmental Activities (SEC.GAL/110/21 OSCE+)

- (d) *Meeting between the Secretary General and the Secretary General of INTERPOL, Mr. J. Stock, on 28 July 2021, and signing of a Joint Action Plan for 2021–2023 between the secretariats of the OSCE and INTERPOL:*
Co-ordinator of OSCE Economic and Environmental Activities
(SEC.GAL/110/21 OSCE+)

Agenda item 4: ANY OTHER BUSINESS

- (a) *Presidential elections in Uzbekistan, to be held on 24 October 2021:*
Uzbekistan
- (b) *Status of discussions on outstanding draft decisions related to the holding of the 2021 Annual Security Review Conference, the 2021 Human Dimension Implementation Meeting and the 2021 Human Dimension Seminar, and the approval of the 2021 Unified Budget:* Chairperson
- (c) *Farewell to the Permanent Representative of Spain to the OSCE, Ambassador L. Cuesta:* Chairperson, Spain

4. Next meeting:

Thursday, 2 September 2021, at 10 a.m., in the Neuer Saal and via video teleconference

1326th Plenary Meeting

PC Journal No. 1326, Agenda item 1(f)

**STATEMENT BY
THE DELEGATION OF ARMENIA**

Madam Chairperson,

At the last meeting of the Permanent Council, the delegation of Armenia informed about the armed provocations instigated by the armed forces of Azerbaijan in the western and eastern segments of the Armenia-Azerbaijan State border, which led to the killing of an Armenian serviceman by sniper fire. We also warned that the situation was deteriorating, and that the continuous escalation of the situation by Azerbaijan could snowball into a full-scale confrontation.

In the early morning of 28 July, at about 3.40 a.m., units of the Azerbaijani armed forces, still illegally remaining in the sovereign territory of Armenia since their incursion on 12 May, attacked a position of the armed forces of Armenia and attempted to seize it and advance further into the sovereign territory of Armenia. Unfortunately, during the repelling of Azerbaijan's attack, Lieutenant Hayk Gevorgyan, Privates Koryun Harutyunyan and Davit Kocharyan were killed and four others were wounded.

The shelling and shoot-out continued into the mid-morning, with the Azerbaijani side firing also in the direction of the villages of Sotk, Kut, Azat, Norabak, Nerkin Shorja and Verin Shorja of the Gegharkunik province of Armenia. Moreover, as reported by local residents, the villages of Kut and Verin Shorja were directly targeted by the Azerbaijani armed forces.

Starting from 10.40 a.m., with the mediation of the Minister of Defence of the Russian Federation, the Azerbaijani side stopped shooting. However, this morning, at 3 a.m., the Azerbaijani armed forces resumed the shooting, as a result of which one Armenian serviceman was wounded. The Azerbaijani fire stopped only after the counteractions taken by the Armenian armed forces.

According to reports, the Azerbaijani side also suffered losses. Responsibility for these meaningless losses lies on the politico-military leadership of Azerbaijan.

This was one of the most serious military provocations since the signing of the 9 November trilateral ceasefire statement. With its aggressive actions and rhetoric,

Azerbaijan is trying to disrupt any opportunity for dialogue, and continues to discredit the trilateral statement signed by the leaders of the three countries.

Madam Chairperson,

The Armenian delegation has repeatedly expressed concern over the lack of an adequate and robust international response to the aggressive actions of Azerbaijan and the belligerent statements of its leadership. We believe and would like to reiterate once again that the lack of an adequate response by the international community to the use of force against Artsakh and the flagrant violations of international humanitarian law and the Helsinki Final Act principles, and the mass atrocities perpetrated against the people of Artsakh, including ethnic cleansing, encouraged Azerbaijan to make the use of force as the main instrument of its foreign policy, thereby threatening regional peace and security.

The Armenian delegation also expressed its concern about the completely unacceptable and inexplicable displays of diplomatic support for Azerbaijan's ambitions by some participating States, which have been engaged in questionable initiatives that are detrimental to efforts aimed at rebuilding trust and establishing a lasting and sustainable peace. As in the past, impunity for crimes committed, combined with illegal visits and demonstration of support, is perceived by the Azerbaijani leadership as absolution for its aggressive and destructive behaviour.

These flagrant violations of the trilateral ceasefire statement of 9 November 2020 are a logical continuation of the aggressive posturing and bellicose rhetoric of the President of Azerbaijan. The Azerbaijani leadership does not shy away from openly stating its claims to the territory of the Republic of Armenia. In a recent interview, the President of Azerbaijan, while admitting that Azerbaijani military units are located in the territory of Armenia, reiterated Azerbaijan's nonsensical and spurious territorial claims against the Republic of Armenia, stating, in particular, that "Zangezur" was the land of their ancestors. A claim that could be easily refuted by anyone with a basic knowledge of history. Though, one should acknowledge that there is a peculiar version of history invented and taught in Azerbaijan.

The Ministry of Foreign Affairs of Armenia strongly condemned the military provocation of Azerbaijan, which further undermined regional peace and security, and stressed that the politico-military leadership of Azerbaijan bears full responsibility for the further escalation of the situation.

In this context, we regret that the Chairperson-in-Office remained silent and did not condemn yesterday's flagrant violation of the ceasefire by Azerbaijan. The muted reaction of our international partners, including the OSCE, is one of the main reasons for such unapologetic behaviour of Azerbaijan.

Madam Chairperson,

Azerbaijan violated almost all the provisions of the trilateral statement of 9 November 2020, and my delegation has explicitly described those violations during the last meeting of the Permanent Council. Azerbaijan's actions are in clear defiance of and complete disregard for its international obligations and international law, including international humanitarian law.

Another outrageous violation of the provisions of the trilateral statement is the continued detention of Armenian prisoners of war and other captives. Azerbaijan also continues the mock trials of Armenian prisoners of war and civilian captives. In particular, a few days ago, a court in Baku convicted two civilians – Mr. Davit Davtyan and Mr. Gevorg Sujyan – to 15 years of imprisonment on trumped-up charges of espionage and illegal border crossing. Both were captured on 11 November 2020, after the signing of the trilateral statement, while delivering humanitarian aid to the people of Artsakh affected by the 44-day war of aggression.

Thirteen prisoners of war were sentenced by an Azerbaijani court to six years in prison on charges of illegally crossing the border and possession of weapons.

In addition, on 26 July, a resident of the village of Machkalashen of Artsakh's Martuni region was captured by the Azerbaijani armed forces and later returned to Artsakh with the mediation of Russian peacekeepers. During just a few hours of detention in Azerbaijani captivity, the man was severely beaten and tortured, his right leg was seriously damaged.

We strongly condemn and denounce these actions of Azerbaijan and insist that all Armenian prisoners of war and other captives, including civilians, should be released and returned immediately and without delay, as stipulated in Article 8 of the trilateral statement of 9 November 2020.

Madam Chairperson,

By constantly raising the level of tensions – not least through military provocations in Artsakh and on the Armenian-Azerbaijani border, as evidenced by the recent incidents – Azerbaijan seeks to postpone indefinitely and endlessly the resumption of the Nagorno-Karabakh peace process and, ultimately, the settlement of the conflict. Only the resumption of the Nagorno-Karabakh peace process, under the auspices of the OSCE Minsk Group Co-Chairs, can create the conditions for lasting peace in the region.

Armenia is willing to engage in the Nagorno-Karabakh peace process in good faith and will continue to act consistently in support of the realization of the right of the people of Artsakh to self-determination, regardless of the efforts of Azerbaijan to remove this issue from the international agenda by all means, not least by denying the very existence of Artsakh and its people. The international community must reject such an approach in the strongest possible terms.

Madam Chairperson,

The current situation in Nagorno-Karabakh is the result of a flagrant violation by Azerbaijan of several core principles of the Helsinki Final Act, namely refraining from the threat or use of force; peaceful settlement of disputes; equal rights and self-determination of peoples; and respect for human rights and fundamental freedoms. No one should be under any illusion that the results of the use of force, accompanied by war crimes and violations of international humanitarian law, can ever become the basis for a lasting and sustainable peace. Such a peace can only be achieved in the region through a comprehensive settlement of the

Nagorno-Karabakh conflict, which must include determining the status of Artsakh on the basis of the realization by the people of Artsakh of their inalienable right to self-determination, ensuring the safe and dignified return of the recently displaced population to their homes, and preserving the cultural and religious heritage of the region.

Madam Chairperson,

I kindly ask you to attach this statement to the journal of today's meeting.

Thank you.



1326th Plenary Meeting

PC Journal No. 1326, Agenda item 1(g)

**STATEMENT BY
THE DELEGATION OF MOLDOVA**

Madam Chairperson,

The delegation of the Republic of Moldova would like to bring to the attention of the delegations of the OSCE participating States the regressive turn of human rights observance in the Transnistrian region of the Republic of Moldova, currently under the control of the separatist regime in Tiraspol.

At the outset, allow me to express our deep gratitude to the United States and others for keeping this extremely sensitive issue in focus and for supporting the efforts of the Moldovan authorities in the field of human rights protection in the Transnistrian region of the Republic of Moldova.

The Moldovan authorities have pointed out on numerous occasions the degrading situation of human rights in this region, but those calls have not resulted in any improvement in that respect. On the contrary, a continuous worsening of the situation can be observed lately, with an increasing number of individual cases of human rights violation and even tragic cases with loss of human lives. About some resonant cases such as Stanislav Menzarari, Andrei Amarfi, Alexandru Puris, Oleg Babii and others we informed in detail at previous Permanent Council meetings.

Today, we would like to draw attention to other serious cases of rights having been violated by the secessionist regime from Tiraspol, particularly in the last weeks, and namely the recent convictions of Ghenadie Ciorba and Mihail Ermurachi.

At the Permanent Council meeting from 15 October 2020, we informed the delegations of the participating States about the situation of the civic activist Ghenadie Ciorba who expressed his disagreement over the decisions made by the *de facto* authorities from Tiraspol affecting seriously freedom of movement. After the protest was suppressed by the Transnistrian militia, he was detained and imprisoned, being charged with “extremism”. On 19 July 2021, a so-called court in Râbnița issued a decision sentencing Ghenadie Ciorba to three years and three months in prison.

Unfortunately, this politically motivated conviction was predictable. We note that the so-called “Strategy for Combating Extremism” approved by the alleged authorities from

Tiraspol in March 2020 is being implemented and the citizens from the region who have had the courage to express their critical opinion towards the Tiraspol regime are in fact the victims of this policy.

It is unacceptable that in every case of protest against the decisions taken by Tiraspol, particularly against the violation of the right to freedom of expression, the secessionist regime imputed as “extremism”. Any form of abuse and illegal acts committed by Tiraspol against citizens protesting peacefully, depriving them of liberty, represents a serious violation of human rights and freedoms. This is reprehensible and inadmissible.

The second case concerns the decision of a so-called court from Tiraspol, on July 2020, issued in the case of a 70-year-old citizen, Mihail Ermurachi, accused of violating articles 278 of the so-called “Criminal Code” of the Transnistrian region (incitement to national, racial, religious hatred), 278-3 (denial of the positive role of the Peacekeeping Mission) and 316-1 (insult of the so-called leader of the region). M. Ermurachi was convicted only under article 316-1 – for insulting Vadim Krasnoselski – and was fined 9,200 Transnistrian rubles (or 500 euros). For the fact that, during a conversation with the director of school No. 9 from Tiraspol, he pointed to a portrait of Krasnoselski and said “this puppet hangs in your office, too”. In the file, instead of the word “puppet” was introduced the word “mercenary” and finally the illegal court in Tiraspol ruled that the word “mercenary” constitutes an insult.

Madam Chairperson,

As you note the human rights situation in the region continues to be alarming and has worsened. Fundamental human rights and freedoms are being seriously violated. Moreover, Tiraspol opposes continuously convening a human rights working group to discuss these cases, but also to carry out the work of the Joint Control Commission refusing to address individual cases. This makes it impossible to promote dialogue and find solutions.

It is obvious to us why Tiraspol is not interested in discussing the human rights dimension. For instance, in cases of commuting from one bank to another bank of the Nistru river – Tiraspol incriminates “illegal crossing of the border”. In cases of vocal opinion – through its local KGB/“MGB” (illegal State security ministry), Tiraspol presents to targeted people a “notification of expulsion” or otherwise they risk arrest. Most of them are in Tiraspol’s jail, without any information about their juridical situation. In this connection, we would like to remind the Permanent Council that in 41 cases initiated in the Transnistrian region, the European Court of Human Rights delivered sentencing judgements, which involve the Russian Federation and Tiraspol regime, based on the principle of effective control.

Concluding, all these unequivocally prove a continuous strategy aimed at political cleansing of the territory controlled by the regime in Tiraspol.

Considering the international and European standards in the field of human rights protection and the political and diplomatic tools which could be applied by various international actors, particularly leverage at the disposal of mediators and observers in the “5+2” format, we consider it necessary to enforce a multidimensional approach that will contribute to an improvement of the human rights situation in the Transnistrian region and help move things towards normality.

In the same vein, we reiterate our call on the need of a more active involvement of the OSCE Mission to Moldova, in order to strengthen its efforts in the field of human rights protection in the Transnistrian region of the Republic of Moldova, which will constitute a step forward in confidence-building and improvement of the negotiation environment.

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