

**Chairmanship: Albania****1287th PLENARY MEETING OF THE COUNCIL**

1. Date: Thursday, 29 October 2020 (in the Neuer Saal and via video teleconference)

Opened: 10.05 a.m.  
Suspended: 12.55 p.m.  
Resumed: 3 p.m.  
Closed: 5.55 p.m.

2. Chairperson: Ambassador I. Hasani  
Ms. E. Dobrushki

Prior to taking up the agenda, the Chairperson reminded the Permanent Council of the technical modalities for the conduct of meetings of the Council during the COVID-19 pandemic.

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

Agenda item 1: **REPORT BY THE DIRECTOR OF THE CONFLICT PREVENTION CENTRE**

Chairperson, Director of the Conflict Prevention Centre (SEC.GAL/157/20 OSCE+), Russian Federation (PC.DEL/1458/20 OSCE+), Germany-European Union (with the candidate countries Albania, Montenegro and North Macedonia; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Andorra, Georgia, Moldova and San Marino, in alignment) (PC.DEL/1517/20), Armenia (Annex 1), Turkey (PC.DEL/1488/20 OSCE+), United States of America (PC.DEL/1457/20), Azerbaijan (Annex 2), Belarus (PC.DEL/1460/20 OSCE+), Switzerland (PC.DEL/1461/20 OSCE+), Georgia (PC.DEL/1467/20 OSCE+), Norway (PC.DEL/1473/20), United Kingdom, Kazakhstan

Agenda item 2: REVIEW OF CURRENT ISSUES

Chairperson

- (a) *Russia's ongoing aggression against Ukraine and illegal occupation of Crimea:* Ukraine (PC.DEL/1464/20), Germany-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 and Moldova, in alignment) (PC.DEL/1521/20), Canada (PC.DEL/1471/20 OSCE+), Turkey (PC.DEL/1483/20 OSCE+), United States of America (PC.DEL/1463/20), United Kingdom, Switzerland (PC.DEL/1462/20 OSCE+)
- (b) *Situation in Ukraine and the need to implement the Minsk agreements:* Russian Federation (PC.DEL/1466/20), Ukraine
- (c) *Aggression of Azerbaijan against Artsakh and Armenia with the direct involvement of Turkey and foreign terrorist fighters:* Armenia (Annex 3)
- (d) *Aggression of Armenia against Azerbaijan and situation in the occupied territories of Azerbaijan:* Azerbaijan (Annex 4), Turkey (PC.DEL/1489/20 OSCE+)
- (e) *Regarding the conflict in and around Nagorno-Karabakh:* United States of America (also on behalf of France and the Russian Federation), Switzerland (PC.DEL/1487/20 OSCE+), Russian Federation (PC.DEL/1480/20), Germany-European Union (with the candidate countries Albania, Montenegro, North Macedonia and Serbia; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Andorra, Moldova and San Marino, in alignment) (PC.DEL/1518/20), Canada (PC.DEL/1472/20 OSCE+), United Kingdom, France (PC.DEL/1484/20 OSCE+), Azerbaijan (Annex 5), United States of America (PC.DEL/1475/20), Armenia (Annex 6), Turkey (PC.DEL/1490/20 OSCE+)
- (f) *Compliance by Azerbaijan with its obligations under international humanitarian law:* Azerbaijan (PC.DEL/1476/20 OSCE+)
- (g) *Hate speech against and intimidation of a journalist in France reporting on the Armenia-Azerbaijan conflict:* Azerbaijan (PC.DEL/1477/20 OSCE+), France (PC.DEL/1483/20 OSCE+)
- (h) *Gross violations of human rights in the United States of America:* Russian Federation (PC.DEL/1479/20), United States of America (PC.DEL/1481/20)

Agenda item 3:           REPORT ON THE ACTIVITIES OF THE  
                                  CHAIRMANSHIP-IN-OFFICE

- (a)   *Selection process for the posts of Secretary General, High Commissioner on National Minorities, Representative on Freedom of the Media, and Director of the Office for Democratic Institutions and Human Rights: Chairperson*
- (b)   *Presentation of draft Ministerial Council texts at the Economic and Environmental Committee, the Human Dimension Committee and the Security Committee: Chairperson*
- (c)   *Visit to Georgia by the Special Representative of the OSCE Chairperson-in-Office for the South Caucasus: Chairperson*
- (d)   *Activities of the Co-Chairs of the OSCE Minsk Group and the Personal Representative of the Chairperson-in-Office on the Conflict Dealt with by the OSCE Minsk Conference: Chairperson*
- (e)   *Third OSCE Gender Equality Review Conference, held via video teleconference on 27 and 28 October 2020: Chairperson*
- (f)   *Third Supplementary Human Dimension Meeting of 2020, entitled “Freedom of Religion or Belief: The Role of Digital Technologies and Civil Society Actors in Advancing This Human Right for All”, to be held via video teleconference on 9 and 10 November 2020: Chairperson*

Agenda item 4:           REPORT ON THE ACTIVITIES OF THE SECRETARIAT

- (a)   *Update on the Secretariat’s response to the COVID-19 pandemic: Officer-in-Charge/Secretary General (SEC.GAL/162/20 OSCE+)*
- (b)   *Announcement of the distribution of a written report on the activities of the Secretariat: Officer-in-Charge/Secretary General (SEC.GAL/162/20 OSCE+)*
- (c)   *Third OSCE Gender Equality Review Conference, held via video teleconference on 27 and 28 October 2020: Officer-in-Charge/Secretary General (SEC.GAL/162/20 OSCE+)*
- (d)   *14th annual meeting of the OSCE Border Security and Management National Focal Point Network, held on 27 and 28 October 2020: Officer-in-Charge/Secretary General (SEC.GAL/162/20 OSCE+)*
- (e)   *Meeting of the Group of Friends of Youth and Security held on 23 October 2020: Officer-in-Charge/Secretary General (SEC.GAL/162/20 OSCE+)*
- (f)   *2020 OSCE Mediterranean Conference on “Promoting security in the OSCE Mediterranean region through sustainable development and economic growth”, to be held in Vienna and via video teleconference on 3 November: Officer-in-Charge/Secretary General (SEC.GAL/162/20 OSCE+)*

- (g) *Procedure for the presentation of credentials by new Permanent Representatives to the OSCE: Officer-in-Charge/Secretary General, Russian Federation*

Agenda item 5: ANY OTHER BUSINESS

*Parliamentary elections in Kazakhstan, to be held on 10 January 2021: Kazakhstan (PC.DEL/1518/20 Restr.)*

4. Next meeting:

Thursday, 5 November 2020, at 10 a.m., in the Neuer Saal and via video teleconference



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**1287th Plenary Meeting**

PC Journal No. 1287, Agenda item 1

**STATEMENT BY THE DELEGATION OF ARMENIA**

Mr. Chairperson,

I warmly welcome the Director of the Conflict Prevention Centre (CPC), our distinguished colleague Ambassador Tuula Yrjölä, and thank her for her report, of which we have taken note. Ambassador Yrjölä, we have studied and carefully scrutinized your report and I would like to share with you a non-exhaustive list of our observations and comments with regard to the work of the Centre and the report presented.

As you may know, your first report to the Permanent Council coincided with an all-out war unleashed against Artsakh, with direct involvement of foreign terrorist fighters and jihadists in the area of responsibility of the OSCE. The proliferation of foreign terrorist fighters and jihadists into the OSCE area was perpetrated by one participating State and embraced by another. These developments reveal shortcomings, to say the least, in the efficiency and use of our early warning and conflict prevention tools. Hence, quite legitimate questions arise regarding the functioning and activities of the CPC throughout this whole period of time.

In last year's report, your predecessor referred to the militarization and military build-up in our region, highlighting certain cases in which this had a clear and unconcealed offensive nature. And I would also like to recall the deep concerns in this regard persistently voiced by the Armenian delegation. Given the situation that we are facing now, we can safely assume that no conclusions have been drawn during the year that has passed since the previous CPC report.

We still see similar wordings, which perhaps were relevant a year ago but are not so today. Such expressions as "accumulation of ammunition" or "military escalation" clearly indicate that the CPC is lagging behind the realities on the ground. The accumulated ammunition is already being fired indiscriminately, and the military escalation has already turned into a full-scale war.

Moreover, when referring to the Minsk Process in your present report you make an assertion that "the impact is still not clear". That prompts me to ask what kind of clarity you were expecting and to what extent such assertions comply with the conflict prevention and early warning competences of the CPC.

The Centre is also tasked with collecting, collating and analysing information from various sources and advising the Secretary General and the Chairmanship on possible response options in the case of an emerging crisis, with “emerging crisis” being the key phrase. I’m just wondering if the Centre did in the early stages identify the probability of a re-emergence of the crisis, or more precisely, of military hostilities, and, what is more important, whether the CPC advised the Chairmanship on possible options for addressing the ongoing war in Nagorno-Karabakh? I am asking because we have not seen any early warning or conflict prevention activity from the Centre. Our delegation did not receive any enquiry from the Centre or indeed even a call, let alone a formal enquiry. Consequently, we did not receive any early warning signals from the Chairmanship, which would have been its logical course of action upon receiving the relevant analysis from the Centre.

It is part and parcel of the OSCE mandate to respond to transnational threats with a comprehensive strategy focusing on fighting terrorism, managing borders and keeping them secure, and building modern, democratic and efficient policing. So it is reasonable and legitimate to ask why, despite this clear mandate, we have a situation where for the first time in the history of the OSCE/CSCE we are witnessing the presence and active involvement of foreign terrorist fighters and jihadists in a conflict zone in the area of responsibility of the OSCE. Are we to assume that despite years of activities, budgetary allocations and efforts and energy invested, and despite round tables, conferences, training, special courses and the like, we have all failed to turn the CPC into a functioning and responsive mechanism?

On another note, we are also bewildered that – on a highly questionable and unconvincing pretext – no consideration has been given to our request for the long-standing practice of distribution of documents and information via the Situation/Communication Room not to be cancelled and the flow of information maintained in times of emergencies and during the present war.

Mr. Chairperson,

Although Armenia has always been supportive of the CPC, the new reality on the ground puts a new perspective on our vision and expectations regarding the Centre’s work. We would expect first an assessment of the state of affairs, then an evaluation of the efficiency of the Centre’s working methods, and last, based on the results of the first two exercises, a discussion of ways and means aimed at updating the approach and making it more result-oriented and efficient. I think that everybody would agree that if the structure possessing early warning and conflict prevention competences fails to fulfil its mandated tasks – whatever the reason, pretext or justification – then an in-depth assessment of its activities is required. And in as short a period of time as possible. This position should not be perceived as a criticism but, rather, as an opportunity to evaluate the work done, identify shortcomings and adjust the activities in accordance with the realities of the day.

I would like to once again thank you, Ambassador Tuula Yrjölä, for the report and wish you every success in all your future endeavours.

Mr. Chairperson, I kindly request that my statement be attached to the journal of today’s meeting.

I thank you.



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**1287th Plenary Meeting**

PC Journal No. 1287, Agenda item 1

**STATEMENT BY THE DELEGATION OF AZERBAIJAN**

Mr. Chairperson,

At the outset, I would like to express condolences to the families of victims of the attack on Azerbaijani city of Barda that took place on 28 October 2020, which was carried out by the Armenian armed forces with the use of “Smerch” multiple-launch rocket systems. As a result of this heinous terrorist strike, 21 civilians, including children, were killed and more than 70 people were seriously wounded. We express solidarity with courageous people of Barda and wish speedy recovery to the wounded.

The delegation of Azerbaijan warmly welcomes Ambassador Tuula Yrjölä, Director of the Conflict Prevention Centre (CPC), to the Permanent Council and thanks her for presenting the report.

Your first report to the Permanent Council in your capacity as Director of CPC comes amidst a very challenging period characterized by the ongoing conflicts and crises in the OSCE area, which are caused by disregard and gross violations of norms and principles of international law and the OSCE commitments enshrined in the Helsinki Final Act. The OSCE with its comprehensive concept of security, agreed principles and wide range of commitments and developed toolbox was meant to be a mechanism for promoting international and regional peace and security. However, at the current juncture, the Organization cannot boast the ability, political will and institutional capacity to ensure compliance by all participating States with these principles and commitments.

In line with the relevant OSCE decisions and documents, CPC is a key instrument for conflict resolution, as well as early warning and early action, conflict prevention, crisis management and post-conflict rehabilitation. CPC can effectively deliver on its mandate by acting in an impartial and objective manner, in full compliance with the mandate and the OSCE decisions and commitments. Current developments in the OSCE region testify to the necessity to prioritize resolution of conflicts in CPC activities.

We took note that in the reporting period CPC continued to provide support to implementing the Chairmanship’s priorities, including to its work related to the existing conflicts and crises. In your report you referred to what you described “eruption of renewed conflict in the South Caucasus”, presumably implying the Armenia-Azerbaijan conflict, and joined the calls from the Minsk Group Co-Chairs and their governments for an immediate ceasefire and a return to a negotiated settlement process.

Whether there had been recently any meaningful negotiated settlement process is a big question mark. In fact, failure of OSCE and its structures, in particular the OSCE Minsk Group and its Co-Chairs to reveal the problems in the settlement process, to expose the non-constructive position of Armenia, as well as attempts to share the blame for that with Azerbaijan, led to the current situation we are facing. It is clear, at least for the delegation of Azerbaijan, that there can be no business as usual. Assumptions, which were guiding the activities of the CPC and Co-Chairs for years did not work. Unprecedented calm situation along the frontline since at least 2018 and atmosphere, which they claimed was conducive for substantive talks, did not translate into meaningful substantive negotiations and progress in conflict resolution. The current situation requires review and in-depth evaluation of programmes and specific operational and functional aspects of the OSCE structures dealing with the conflict. Unless we clarify in the Unified Budget proposal the basis, objectives and expected outcomes of the activities of these structures established to resolve this conflict, we will not be able to identify resource requirements and to ensure efficiency, effectiveness, transparency and accountability of their work and OSCE input into peace process. These are the considerations, which guide our delegation in reviewing the 2021 Unified Budget proposal for the programmatic activities, including for the Minsk Process and High-Level Planning Group.

Mediation Support Unit on the basis of lessons learned and best practices of OSCE in conflict resolution, should provide more effective operational support to the Co-Chairs, including by advising on process design of mediation activity of the Minsk Group that would ensure proper implementation of their mandate and the OSCE decisions.

As for activities of the CPC in politico-military dimension, they should be directed to implementation of related OSCE documents in their entirety, and due care must be exercised to refrain from any artificial prioritization in implementation of our collectively agreed commitments. Disproportionate focus on transparency and risk reduction, while turning a blind eye on continuous violations of the letter and spirit of OSCE's politico-military commitments, is disturbing. As we speak, the consequences of illegal transfer and diversion of weapons and ammunitions to the occupied territories of Azerbaijan by Armenia are manifesting themselves unabated on the frontline, facilitating Armenia's continuing aggression against the territory and population of Azerbaijan. The same holds true for our commitments on small arms and light weapons and stockpiles of conventional ammunition, as their illegal transfer and diversion to the occupied territories also contribute to this ongoing aggression. In this light, we urge the CPC to include these essential aspects into its activities in 2021. In particular, we reiterate our long-standing call on CPC and its Forum for Security Co-operation support section to map OSCE participating States' practices in the field of export control with a view to preparing recommendations for participating States to prevent illicit transfer and diversion of weapons and ammunition.

In conclusion, we once again thank Ambassador Tuula Yrjölä for her report and wish her every success in future endeavours.

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

Thank you, Mr. Chairperson.





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**1287th Plenary Meeting**

PC Journal No. 1287, Agenda item 2(c)

**STATEMENT BY THE DELEGATION OF ARMENIA**

Mr. Chairperson,

Before delivering my statement, I would like to extend our profound condolences to the families and friends of those who fell victim to the heinous attack in Nice. Our sincere condolences also go to the people and government of France.

Mr. Chairperson,

Already a month has passed since Azerbaijan, instigated and emboldened by Turkey, attacked Artsakh and its people. During this month the adversary has attacked with unmanned aerial vehicles, aircrafts, helicopters, tanks, Azerbaijanis, terrorists, mercenaries and Turkish special operation units.

For 33 days, Azerbaijan, in pursuit of its policy of scorched earth and ethnic cleansing, has bombed the cities, villages and communities of Artsakh, targeting civilian population and infrastructure. Yesterday, perhaps to mark one month of war, the civilian infrastructures and residential areas of the capital city of Stepanakert and the city of Shushi came under heavy air and rocket bombardment. Among the targets was the maternity hospital of Stepanakert. At 2.15 a.m. today, the Azerbaijani forces continued to target Stepanakert with Smerch missiles in an air raid that lasted more than one hour. Missile strikes were carried out against the cities of Askeran and Martuni, and the city of Martakert was bombed by military aviation. There are numerous casualties and wounded. There were reports of the use of Turkish F-16s during yesterday's air raids. If confirmed, this will once again prove beyond any doubt that Turkish military jets are continuing their active engagement in military actions.

As we speak now, massive shelling of the cities of Stepanakert and Martuni continues.

These war crimes, which are gross violations of international humanitarian law and customary law, clearly demonstrate that the people of Artsakh are Azerbaijan's target. However, the attempts of the Azerbaijani politico-military leadership to kill the life in Artsakh will fail and the perpetrators of these crimes will be held responsible.

After one month of violence it will be useful to briefly recall the events and particularly the signals that were coming from Azerbaijan and Turkey during the period preceding the war.

Several days prior to the attack, the President of Azerbaijan publicly claimed that “negotiations are virtually non-existent” and “we will by all means return to our lands”. The leadership of Azerbaijan has been claiming that “international law does not work in the world today, and international treaties are just a piece of paper, having no value.”

These claims were not new, of course, but when considered in combination with several other factors, both internal and external, they were a clear signal of the definite and final shift towards the option of a military resolution of the conflict.

Internally, we have seen further build-up in the already militaristic rhetoric of Azerbaijani leadership. The sacking of the Minister of Foreign Affairs, Elmar Mammadyarov, probably as a result of a failed attempt at military incursion against Armenia’s north-east borders in July this year, also signalled that the Azerbaijani government was and is no longer interested in a negotiated solution to the conflict.

The external factor is the so-called “third party” – Turkey – with its highly belligerent stance and practice of muscle-flexing with respect to all its neighbouring States and its claims to some imaginary legitimate historic rights in the South Caucasus. In July, President Erdoğan stated that Turkey would fulfil the mission that their grandfathers carried out in the Caucasus.

Turkey has also provided tangible military support in terms of military personnel and equipment and has given political backing by using all its influence in support of the Azerbaijani cause.

Another factor, a new element or feature of the war against Artsakh, is the deployment of foreign terrorist fighters and jihadist groups recruited by Turkey in the territories of Syria and Libya under its control to fight on the side of Azerbaijan. The presence of terrorists and jihadists in the region and, moreover, their incorporation into the ranks of Azerbaijani military, are proven and confirmed facts, corroborated by witness accounts and stories told by terrorists themselves and, what is more, by the transfer of the bodies of killed foreign terrorist fighters and jihadists to Syria for burial.

We are receiving credible information that the Azerbaijani military is creating bases for these terrorist groups on the territories that are now under its control. We have already warned that the proliferation of international terrorist and jihadist groups into South Caucasus is a major threat to the security and safety of the entire region and beyond, and a challenge not only for Artsakh and Armenia but for every country in the region and in its neighbourhood. We have also warned that Azerbaijan will gradually turn into a hotbed of terrorism, and with each passing day we discover yet more evidence substantiating our assumptions.

We have seen this in Syria, where Turkey, under the pretext of helping its “brothers and sisters”, channeled foreign terrorist fighters to Syria and later sent its military to that country. Under the pretext of saving the population from suppression in that part of the

country, it plundered it and put in place a whole network for the illegal trafficking of natural resources.

In Syria the invasion disrupted the economic and social fabric of society, leading to poverty and destitution, misery and despair. The region was turned into a hub and safe haven for terrorists and jihadists. The main source of livelihood became mercenarism and terrorism. As a result, many individuals have become terrorists for hire and are recruited and used by Turkey as a proxy army to fight its battles.

Mr. Chairperson,

As we have previously mentioned, Turkish-made (and Turkish-operated) military equipment and weapons are being used in Artsakh to indiscriminately target and kill civilians and damage civilian settlements and infrastructure. In the last couple of days, the air defence units of the Defence Army of Artsakh have downed around ten Turkish-made Bayraktar TB2 unmanned combat aerial vehicles, including one this morning.

For the production of this military equipment, Turkey relies heavily on technologies and components supplied to it by various States, including OSCE participating States. We appreciate the steps taken by some States to suspend the export of important technologies and components to Turkey, and we call on others to follow suit and thereby demonstrate their sense of social and political responsibility.

Mr. Chairperson,

In the course of one month of war, the Azerbaijani military has committed acts that amount to war crimes. The office of the Human Rights Defender of Artsakh, in collaboration with the Human Rights Defender of Armenia, has collected and published evidence in this regard. The European Court for Human Rights (ECHR), through its relevant decisions on the application of interim measures against Azerbaijan and Turkey, has already affirmed the responsibility of these two States for aggression and war crimes and for violations of the articles of the ECHR on right to life and prohibition of torture.

To pre-empt the usual denials from Azerbaijani and Turkish delegations of any wrongful act against the civilian population of Artsakh, I will simply refer to the interview of President Aliyev of Azerbaijan on the US Fox News TV channel on 26 October, in which he said, and I quote: "... and our attacks there were only before the 9th of October. We didn't attack any civilians or cities in the Nagorno-Karabakh after that." It seems that President Aliyev is under the illusion that international humanitarian law and customary law came into force on 9 October, thus freeing him and the military of his country of any responsibility for the war crimes committed.

Mr. Chairperson,

We would like to draw the attention of the Permanent Council to the fact that for one month already Azerbaijan has been hindering the exchange of the remains of fallen soldiers. We deplore this and warn that, quite apart from being a violation of all the common norms of war, this may lead to dire consequences in terms of the epidemiological situation. Azerbaijan rejects the good offices of the International Committee of the Red Cross (ICRC). Instead, from time to time the Azerbaijani authorities come up with ludicrous proposals for the

exchange of bodies. In a mockery of all the common law norms and basic human decency, they staged for propaganda purposes a show which displayed complete disrespect towards the remains of fallen soldiers and has proved for umpteenth time the fundamental differences in terms of value systems between the leaderships of Artsakh and Azerbaijan. Although we have information on some positive developments in this issue, at this stage I will refrain from making any comment upon it.

The above-mentioned actions by Azerbaijan and the all-out war against Artsakh and its people prove beyond any doubt that Artsakh can under no circumstances and in no way be a part of Azerbaijan. By its actions Azerbaijan has lost all moral, political or legal claim to any sort of authority over Artsakh and its people. Hence, only international recognition of the right of the people of Artsakh to self-determination and the creation of an independent State can provide the necessary political and legal remedies for ensuring the safety and security of the people of Artsakh.

Mr. Chairperson,

I would like to take this opportunity to commend once again the courage and dedication of journalists and media professionals who work in difficult environments and hotspots such as Stepanakert and other cities of Artsakh, where they are documenting and reporting on crimes against humanity and war crimes being committed on a daily basis by Azerbaijan with the direct involvement of Turkey, foreign terrorist fighters and jihadist groups.

Several journalists have been severely wounded, from the international TV channel France 24 and *Le Monde*, and from Russian and local media. Russian journalist Yuri Kotenok was wounded while reporting about the first strike on the Holy Savior of Ghazanchetsots Cathedral in Shushi only a few hours ago, caught by the second shelling. The Azerbaijani Prosecutor-General's Office has launched a criminal case against Russian war reporter and blogger Semyon Pegov, recalling the case of Alexander Lapshin who hardly survived Azerbaijani prison.

Ever since the aggression, Azerbaijan has banned access to the country by any foreign journalists except for representatives of Turkish-controlled media. These were stationed with the troops and reported from the front line just minutes after the beginning of the offensive, offering another piece of evidence that the aggression was pre-planned with the active participation of Ankara.

Azerbaijan censors information from the conflict zone heavily and, in the absence of the international media and free reporting locally, disseminates overzealous, rally-round-the-flag propaganda, misinformation and groundless accusations. During the war France 24 has reported from Baku that it does not have freedom of reporting and that all their moves are controlled and monitored by the government.

Mr. Chairperson,

I consider it nothing less than ridiculous that the delegation of a country with an abysmal track record in human rights and freedom of media and expression should raise concerns about the media freedom situation in another country. I could talk for hours about documented violations by the Azerbaijani authorities of all the fundamental and basic human

rights. Of all countries, Azerbaijan is the least qualified to lecture or engage in a name-and-shame exercise when it comes to human rights in general, and freedom of the media in particular. We all remember well that it is due to Azerbaijan that we do not have a Representative on Freedom of the Media today.

We deplore the fact that Azerbaijan uses every single pretext to disseminate disinformation and anti-Armenian propaganda. During previous discussions we have already talked about Azerbaijan's aggression against Artsakh and about the Azerbaijani propaganda machine, which even now continues its Armenophobic and hateful rhetoric. Monitoring of mass media and especially social networks has revealed a barrage of hatred, incitement to hatred and calls for violence, including calls for killings, disseminated from Turkish and Azerbaijani users on Facebook, Twitter, TikTok and other social media networks.

In recent days a rather peculiar pattern of Azerbaijani propaganda has emerged, in a tactic which we could call mirroring or copycat.

After reports of foreign terrorist fighters and jihadists participating in fighting in Nagorno-Karabakh were confirmed, Azerbaijan and Turkey issued unsubstantiated claims that there had been reports of PKK members allegedly fighting on the side of Armenia.

After Azerbaijan used cluster munitions against the Artsakh capital Stepanakert, as was well documented and confirmed by international organizations and others, Azerbaijan claimed that Armenia had used cluster munitions against city of Gandzak, or as the Azerbaijanis call it, Gyanja, without giving a second thought to the fact that Armenia does not have Israeli-made cluster munition.

After the Artsakh ombudsman warned that there were confirmed cases of some units of the Azerbaijani military wearing Armenian uniform in order to confuse the local population, Azerbaijan claimed that members of the PKK were fighting on the side of Armenia wearing Azerbaijani uniforms so that when they are killed, the Armenian side can claim that they were not Azerbaijani troops but terrorists. Such a perplexing and twisted logic.

And this is not at all an exhaustive list of the propaganda tricks employed by Azerbaijani propaganda gurus.

It is now becoming evident that the aggression of Azerbaijan against Artsakh and Armenia has different layers and directions. In addition to the military planning, which included the involvement of foreign terrorist fighters, military units of Turkey, and others, the Azerbaijan-Turkey tandem well in advance neutralized, if I may say so, the OSCE human rights watchdogs – the Representative on Freedom of the Media and the Office for Democratic Institutions and Human Rights. This situation does not allow the Office of the Representative of the Freedom of Media to react to the gross violations of freedom of the media and of speech and of OSCE commitments such as the 2018 Milan Ministerial Council decision on the safety of journalists.

Last but not least, the Azerbaijani and Turkish authorities are using the tactics of intimidation and harassment, which they have deployed for years to intimidate their domestic opponents, including journalists and civil society activists. Recently, however, another feature of Azerbaijan's and Turkey's intimidation machinery has become more and more

pronounced – the use of diaspora communities to silence and intimidate the opponents of their regimes living in other countries. We have seen this tactic employed against Kurdish communities and against Armenian communities. The most recent examples have been an attack on peaceful Armenian protesters in France with hammers and knives and the actions of around 150 people wrapped up in Turkish and Azerbaijani flags who went out last night in the French city of Vienne, as police reported, I quote, “in a punitive expedition in search of Armenians”, end of quote. This is totally unacceptable behaviour and demonstrates once again the huge disparity of values already mentioned.

Therefore, Azerbaijan is the last country that can speak about media freedom or intimidation of journalists. And, obviously, France does not need any guidance or assistance from Azerbaijan in ensuring freedom of speech or the protection of journalists.

Mr. Chairperson,

Up until now, the Azerbaijani armed forces, in violation of all norms of international humanitarian law, have indiscriminately targeted more than 130 towns and villages, including densely populated ones, with aerial, artillery and rocket strikes and with tank fire. And as I mentioned earlier, this has been confirmed by the President of that country. The only “inaccuracy” in that confession is the assurance that after 9 October Azerbaijan stopped attacking civilians.

As of 28 October, 39 civilians had been killed and 115 wounded, and more than 11,000 buildings had been damaged. Schools, hospitals, water reservoirs and other critical infrastructure of Nagorno-Karabakh have been systematically bombed. These numbers do not include the possible casualties among civilians as a result of today’s heavy bombardments.

This war is being accompanied by horrendous crimes and atrocities perpetrated by the armed forces of Azerbaijan, including extrajudicial and summary executions, inhuman and degrading treatment of prisoners of war, and ISIS-style beheadings.

Azerbaijani media have published several videos and photos clearly showing war crimes committed against Artsakh combatants, including mutilation of the dead bodies.

Amnesty International and Human Rights Watch have confirmed that the residential areas of Nagorno-Karabakh have been bombed with cluster munitions, which is banned under international humanitarian law.

One civilian was killed and three injured (including one child) as a result of the deliberate targeting of civilian population on the territory of the Republic of Armenia. Eight residential houses have been damaged, six of these eight being burned out.

Azerbaijan is obviously pursuing the objective of creating unbearable living conditions for the people of Artsakh and forcing them out of their homeland. It is a persistent and meticulously planned programme of ethnic cleansing to force the entire population into displacement. Azerbaijan is also targeting cultural and spiritual sites, with the aim of erasing any trace of Armenian culture in Artsakh.

The International Association of Genocide Scholars and Genocide Watch have both identified genocidal intent in the actions of Azerbaijan and Turkey.

Mr. Chairperson,

The attacks against civilian population and infrastructure, the use of banned weapons, the degrading and inhumane treatment of prisoners of wars, even up to their execution, in some cases by beheading, the refusal to engage with the ICRC for the purpose of exchange of remains of the dead – these are gross violations by Azerbaijan of all the norms of the international law, including international humanitarian law, for which Azerbaijan and its supporter Turkey should be held responsible under the existing international law.

Turkey has become a State sponsoring terrorism and contributing to its proliferation to various regions of the world. And with its pan-Turkic concepts, dreams of the revival of the Ottoman Empire, and continuous instigation of Azerbaijan to continue its aggression, Turkey is the main challenge to the restoration of peace, stability and security in the South Caucasus and the wider region.

So far, neither calls for a dialogue nor attempts to settle differences around the negotiation table have been heeded or acted upon. Despite the calls of the international community and the efforts of the OSCE Minsk Group Co-Chair countries, Azerbaijan has persistently rejected the implementation of the ceasefire agreements and the introduction of the verification mechanisms to maintain the ceasefire in the conflict zone.

These joint actions of Azerbaijan and Turkey demand an immediate and decisive response from the international community in the form of the imposition of direct sanctions against these two countries with immediate effect, because only coercive measures of this kind may induce the leaders of these two countries to turn away from the path of war and conflict.

Azerbaijan and Turkey should be held responsible for unleashing the war, for the thousands of casualties, and for the destruction and suffering they have caused.

The failure of the international community to act immediately and swiftly to stop Turkey and Azerbaijan, using the whole arsenal of measures and tools at its disposal, will open a Pandora's box of violent conflicts without the restraining framework of international law and order.

We call on the OSCE participating States to recognize the right of the people of Artsakh to self-determination and independent statehood, and to consider this issue in the light of all the dire consequences of the war unleashed by Azerbaijan against Artsakh.

Mr. Chairperson, I kindly request that this statement be attached to the journal of the day.

Thank you.



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**1287th Plenary Meeting**

PC Journal No. 1287, Agenda item 2(d)

**STATEMENT BY THE DELEGATION OF AZERBAIJAN**

Mr. Chairperson,

The delegation of Azerbaijan would like to update the Permanent Council on the ongoing aggression of Armenia against Azerbaijan and its consequences as well as situation in the occupied territories of Azerbaijan in the reporting period since the last meeting of the Permanent Council on 22 October.

Azerbaijan once again demonstrating its goodwill and proceeding from the principles of humanism agreed to another humanitarian ceasefire starting as of 26 October, 8 a.m. local time. The agreement was facilitated by the efforts of the United States following the separate meetings of Foreign Ministers of Armenia and Azerbaijan with their US counterpart held in Washington, DC, on 24 October. In the released joint statement the parties reaffirmed the commitment to implement and abide by the humanitarian ceasefire agreed in Moscow on 10 October. However, the armed forces of Armenia, in gross violation of this new humanitarian ceasefire, on 26 October, at 8.05 a.m., subjected to artillery fire the units of Azerbaijani armed forces located in the Safiyan village of Lachin region. Later, the city of Tartar and the villages of the Tartar district came under intensive shelling.

Thus, it is a third time in a row that Armenia has blatantly ignored and violated the agreed humanitarian ceasefire regime. This was preceded by violations of humanitarian ceasefire agreed in Moscow on 10 October and of humanitarian ceasefire achieved by the mediation efforts of Paris on 17 October. Consistent pattern of violations of these agreements by Armenia is demonstration of wilful ignorance of its commitments and an open disrespect to the efforts of international mediators. This clearly resonates with announcements coming from the Prime Minister of Armenia that his country does not envision a peaceful diplomatic resolution of the conflict, confirming that the ultimate goal of Armenia is to continue the military occupation of the Azerbaijani territories.

Since the last Permanent Council meeting on 22 October and despite aforementioned agreements on humanitarian ceasefire, the armed forces of Armenia continued to deliberately and indiscriminately attack densely populated areas of Azerbaijan along the front line and farther away from the conflict zone in blatant violation of international humanitarian law. These attacks are being carried out both from the territory of Armenia and the occupied territories of Azerbaijan.



On 23 October 2020, in the morning hours, the Armenian armed forces subjected to intensive fire the territory of Tartar, Aghdam and Aghjabadi districts of Azerbaijan. From 3 a.m. to 12 noon, two unmanned aerial vehicles (UAVs) of the Armenian armed forces in the direction of Aghjabadi district were destroyed by air defence units of Azerbaijan. Two other UAVs were downed by means of special equipment.

Starting from the morning of 24 October 2020, the armed forces of Armenia continued to indiscriminately fire on residential areas of Barda, Goranboy, Naftalan and Tartar regions with rockets and heavy artillery. Armenian armed forces launched 9M528 “Smerch” missile in the direction of Tapgaragoyunlu village of Goranboy region (exhibit 1).

Further to this, on 24 October 2020, 13-year-old national of the Russian Federation, Artur Mayakov, died in hospital where he was placed after being seriously wounded on 17 October as a result of Armenia’s ballistic missile strike on Ganja city.

From the night of 24 to 25 October 2020, units of the Armenian armed forces continued firing at residential areas in Goranboy and Tartar districts with small arms, mortars, various artillery and rocket systems. As a result of these attacks, 16 years old boy was killed in Kabirli village of Tartar district by 300 mm “Smerch” multiple-launch rocket system rocket (exhibit 2).

On 26 October 2020, the armed forces of Armenia continued to shell Aghdam, Aghjabadi, Fuzuli and Tartar districts. Moreover, since morning hours, Armenia’s armed forces fired on the territories of Tovuz, Gadabay and Dashkesan districts from the Berd, Chambarak and Vardenis regions of Armenia. On the same day, the armed forces of Armenia fired on a secondary school in Garadagli village of Aghdam district (exhibit 3). As a result, severe damage was inflicted upon the school. Overall, since the start of new aggression by Armenia on 27 September, more than 40 schools have been damaged by Armenia’s deliberate and indiscriminate attacks.

Furthermore, on 26 October 2020, after shelling of the Dashkesan region, located outside the combat zone, a fire broke (exhibit 4) out in the forest in mountainous area. Urgent measures are being taken to prevent fire from spreading, although mountainous terrain makes it difficult to deploy special equipment to extinguish fire.

On 27 October 2020, Armenia continued to escalate tensions by launching attacks in various directions. 300 mm “Smerch” cluster munition rocket was launched on the residential areas of Barda district (exhibit 5). As a result of this attack, 5 civilians, including an infant, were killed, 12 civilians were injured. In the evening of the same day, Tartar district also came under attack from 300 mm “Smerch” multiple-launch rocket system. As a result, Tartar branch of the Azerkhalcha Open Joint-Stock Company was seriously damaged.

In the morning of 28 October 2020, the armed forces of Armenia attacked the city centre of Barda with “Smerch” multiple-launch rocket system (exhibit 6). As a result of this atrocious terrorist attack, 21 civilians, including children, were killed and more than 70 people were seriously wounded. One of the volunteers of the International Federation of Red Cross and Red Crescent Societies (IFRC) was killed while delivering humanitarian aid to civilians. Being thus far the deadliest single attack on civilian areas of Azerbaijan, it once again exposed the terrorist nature of Armenia’s politico-military leadership. Deliberate killing

of peaceful population in the city of Barda constitutes another war crime and crime against humanity committed by Armenia.

Right after the attacks on Barda city on 27 and 28 October, spokesperson of the Armenian Ministry of Defence Shushan Stepanyan made statements on her twitter page (exhibit 7), saying that Armenian or “Artsakh” armed forces have nothing to do with it and that it is “an absolute lie and a dirty provocation”. These statements basically suggest that it is Azerbaijani side that is killing its own civilian population and as such, embodies a very low point reached by Armenian leadership in an attempt to deny its responsibility for atrocious crimes against Azerbaijani civilians.

Furthermore, just at the same time as Armenian armed forces attacked Barda, Armenian propagandists spread fake news about alleged bombardment by Azerbaijan and Turkey of maternity hospital in Khankendi with F-16 jets (exhibit 8). It is clear that the shared photos depict an abandoned building rather than a functional hospital, as there are no traces of damaged medical equipment or even elementary pieces of furniture. This fake fits well into disinformation campaign widely employed by Armenia to divert attention from and cover up its heinous attacks on civilian population of Azerbaijan.

Since the outbreak of hostilities on 27 September 2020, deliberate and indiscriminate attacks of the armed forces of Armenia against the cities, towns and villages in Azerbaijan, as of 29 October 2020, claimed the lives of 90 civilians, including children, women and elderly, 392 civilians were wounded, 2,406 private houses, 92 residential buildings and 423 other civilian facilities were either destroyed or damaged (exhibit 9).

Deliberate and indiscriminate attacks carried out by the Armenian armed forces on densely populated civilian areas of Azerbaijan, including those located far away from the conflict zone, indicate that Armenia does so in order to inflict high level of casualties and cause disproportionate harm among civilian population and civilian objects. Such attacks constitute a war crime, a crime against humanity and an act of State terror, for which all perpetrators, including those at the highest echelon of politico-military leadership of Armenia must bear international legal responsibility. Against the background of irrefutable evidence attesting to continuous bombardment of cities and other densely populated civilian areas of Azerbaijan, Armenia continues to deny its responsibility for the atrocious crimes committed against Azerbaijani civilians during the conflict. In this regard, Azerbaijan calls on the participating States and the international community as a whole to strongly condemn the barbaric and atrocious methods of warfare employed by Armenia. These inhumane acts call for justice and accountability.

Last week we brought to the attention of the OSCE’s Forum for Security Co-operation (FSC) the urgent need of full implementation by all OSCE participating States of their relevant collectively agreed commitments in the politico-military dimension in order to deny Armenia any means to commit further crimes against civilian population of Azerbaijan with weapons and ammunition that it continues to get mainly from OSCE participating States through various schemes of trafficking. Against the backdrop of unabated attacks on civilian population of Azerbaijan, we reiterate our call on all OSCE participating States concerned to take prompt actions arising from their relevant OSCE commitments and to reconsider their military-technical co-operation with Armenia.

Alongside indiscriminate attacks on civilians, Armenia is also deliberately aggravating the situation in various directions of the front line, especially along the restored State borders of Azerbaijan. The Armenian politico-military leadership must now realize and reckon with the fact that the restored State borders of Azerbaijan in the territories previously occupied by Armenia are not a zone of conflict anymore, but internationally recognized borders of Azerbaijan, over which Azerbaijan has sovereignty. The inviolability of these State borders must be ensured and any provocation by Armenia in this direction will be assessed as an attack on our territorial integrity. Azerbaijan reserves the right to destroy any legitimate military target that would threaten its territory, regardless of its location.

Several days ago the Ministry of Defence of Armenia released a photo of Armenia's Defence Minister David Tonoyan together with Armenian soldiers (exhibit 10). One of the soldiers sitting next to the minister is wearing a military uniform identical to the one used by the State Border Service of the Republic of Azerbaijan. This is an intentional misrepresentation and constitutes a clear case of false flag operation, which is forbidden under laws and customs of war. Several minutes later Defence Ministry's press service deleted these photos from the official accounts.

Let us remind that most recently Armenia has released an utterly unprofessional fake video of foreign mercenaries wearing uniforms of the State Border Service of Azerbaijan, alleging that they are fighting on Azerbaijan's side. An Armenian soldier sitting next to the Defence Minister of this country sheds light on these allegations of Armenia and proves that such shows are staged by Armenia.

Speaking of the use of mercenaries and terrorists by Armenia, in addition to the information that our delegation provided in the recent Permanent Council meetings and shared through document distribution system, there is further credible evidence presented by international media, citing intelligence information, regarding the deployment of PKK terrorists to Azerbaijan's occupied city of Shusha. These terrorists are dressed in military uniform of the armed forces of Azerbaijan, which is a clear violation of laws and customs of war as well as of commitments on the use of foreign terrorist fighters. Moreover, these tricks used by Armenia can prove extremely dangerous, as Armenia can potentially stage perpetration of war crimes by the armed forces of Azerbaijan against civilian Armenian population using its servicemen or foreign terrorist fighters camouflaged in Azerbaijani uniform and then mobilize all its propaganda resources in an attempt to put responsibility on Azerbaijan. This is a dangerous development and delegation of Azerbaijan warns all participating States of adverse consequences of this practice employed by Armenia.

Having exhausted its manpower on the battlefield, Armenia not only continues to recruit mercenaries and terrorists, but most recently turned to employing children as soldiers in the occupied territories of Azerbaijan. The recent videos and photos spread on social media clearly testify to this dangerous and unacceptable development (exhibit 11). By using children in the military operations Armenia violates the protection guaranteed for children under the Fourth Geneva Convention relative to the protection of civilians and its Additional Protocol, as well as the rights of children enshrined in the United Nations Child Rights Convention and its Optional Protocol on the involvement of children in armed conflict, in particular Article 1 and Article 2. While using children as combatants Armenia deprives them of their fundamental rights, in particular the right to life and the right to protection, as children might become military targets as combatants.

Moreover, Armenia which presents itself as one of the “advocates” of the Safe Schools Declaration does not hesitate to use school buildings and even kindergartens for military purposes. Recently circulated photos of a meeting of commanders of Armenian armed forces in a kindergarten proves that Armenia camouflages military headquarters inside kindergartens, thus committing grave violations of its international obligations (exhibit 12). Relevant international organizations need to thoroughly investigate these cases and take necessary measures to prevent further breaches of rights of children by Armenia.

We would like to further update the Permanent Council that as a result of counter-offensive conducted by Azerbaijani armed forces, as of today Azerbaijan liberated 4 cities, 178 villages and 3 settlements in Fuzuli, Jabrayil, Zangilan, Gubadli, Khojavand and Tartar districts of Azerbaijan, thus implementing the United Nations Security Council resolutions 874 and 884 demanding the withdrawal of the Armenian occupying forces from these territories of Azerbaijan.

The amount of military equipment of Armenian armed forces destroyed and captured by the armed forces of Azerbaijan in the course of our counter-offensive keeps growing (exhibit 13). Thus, as of 29 October, Azerbaijani armed forces destroyed and captured 308 tanks of Armenian armed forces. To compare, in the latest annual exchange of military information within the Vienna Document and Treaty on Conventional Armed Forces in Europe, Armenia declared to possess only 145 tanks. Our armed forces also destroyed and captured 561 artillery pieces, while Armenia declared to have only 242 artillery pieces. These vast differences in numbers speak for themselves and once again testify to Armenia’s grave violations of its commitments and obligations under relevant politico-military instruments, which we repeatedly have been bringing to the attention of the FSC and most recently Permanent Council. It also reveals a high scale of militarization of the occupied territories, which pursued the obvious goal to consolidate the unlawful occupation of these territories. One can only wonder how many more pieces of military equipment are still left at the disposal of Armenian armed forces in the occupied territories.

The responsibility for the consequences of counter-offensive measures, which Azerbaijan is obliged to take in connection with the continued illegal presence of the Armenian armed forces in the occupied territories of Azerbaijan in order to protect its population, sovereignty and territorial integrity within its internationally recognized borders, lies entirely with the Republic of Armenia.

Armenia officials and agents of the unlawful puppet regime it has set up in the occupied territories of Azerbaijan continue to issue provocative and warmongering statements confirming that Armenia’s politico-military leadership is not interested in getting back to the negotiations table and seek resolution of the conflict by peaceful means. Armenia’s Prime Minister’s latest address to the nation on 27 October 2020 vividly demonstrated this attitude for yet another time.

The irresponsible position of Armenia’s leadership expressed in its failure to honour commitments on humanitarian ceasefire, repeated blatant violations of this ceasefire moments after it enters into force, unabated indiscriminate attacks on civilian population of Azerbaijan which constitute war crimes and crimes against humanity, a series of warmongering statements and public denunciations of peaceful negotiated resolution of the conflict based on agreed core principles, attempts to propagate the illegal puppet regime set up in the occupied territories, are the chief reasons for the current impasse. Armenia’s sense of

impunity and permissiveness must be urgently addressed by the international community, in particular the OSCE and co-chairing countries of the Minsk Group, since it leaves no room for any meaningful negotiation with the current Armenian Government. Armenia must be brought back to the logic and understandings underlying the OSCE Minsk Group-led negotiation process before it is too late.

Armenia must demonstrate in words and deeds that it is genuinely interested in peace in the region; it must cease its policy of annexation and ethnic cleansing; it must comply with its international obligations and withdraw its forces from the Nagorno-Karabakh region and other occupied territories of Azerbaijan, which will pave the way for the achievement of lasting peace, security and stability in the region.

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

Thank you, Mr. Chairperson.



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**1287th Plenary Meeting**

PC Journal No. 1287, Agenda item 2(e)

**STATEMENT BY THE DELEGATION OF AZERBAIJAN**

Mr. Chairperson,

I would like to thank the delegation of the United States for delivering statement on behalf of the Co-Chair countries of the OSCE Minsk Group. Our delegation has already responded to similar statements of the Co-Chairs and leaders of their countries at the last meeting of the Permanent Council, so I will refrain myself from repeating our position, focusing instead on some of the key aspects.

Azerbaijan has consistently stated that it is the most interested party in finding a soonest, durable peaceful solution to the conflict. However, over the past years, repeated calls by Azerbaijan to address the stalemate in the conflict resolution accompanied by continued unlawful activities by Armenia aimed at altering the demographic, cultural and physical character in the occupied territories of Azerbaijan with a view to consolidating the occupation and imposing a fait accompli, were ignored. The situation was further exacerbated by the lack of adequate reaction by the OSCE and its Minsk Group Co-Chairs to irresponsible, warmongering statements and aggressive actions by Armenia, denouncing its adherence to the logic and understandings underlying the OSCE Minsk Group-led negotiation process and rejecting the step-by-step approach in the conflict settlement. This contributed to Armenia's sense of impunity and permissiveness that led to the current situation that we are facing.

We have heard today renewed call to cease hostilities and to resume substantive negotiations to resolve the conflict under the auspices of the OSCE Minsk Group Co-Chairs. But, we also see hastily organized arms supplies to Armenia from the Commonwealth of Independent States and Middle Eastern countries, which demonstrate that Armenia is abusing the ceasefire to resupply, regroup its remaining troops and launch new offensive operations. We heard today from the Armenian Ambassador denouncing the basis for negotiations, claiming that territorial integrity of Azerbaijan will not be recognized and calling for recognition of unlawful puppet entity Armenia has set up in the occupied territories of Azerbaijan. This is the real face of party to the conflict with whom Azerbaijan has to negotiate. Furthermore, those participating States who in their interventions called for negotiations, have not touched upon Armenia's irresponsible behaviour and its Prime Minister's inconsistent position. To whom these calls are addressed and why the main issues are missing in these calls by those delegations? There is a problem in the negotiation process and we need to look into the process. We monitor the situation and we know exactly from which country the supplies of deadly rockets that target our cities and civilians are organized and in what quantities and we will disclose this information in due course. The amount of

weapons and ammunition destroyed and captured by the armed forces of Azerbaijan in the course of our counter-offensive operation during the last month is three times higher than what the Armenian side has officially submitted under relevant politico-military instruments, and none of those who spoke condemned or mentioned this reality, which demonstrates that Armenia had no intention to withdraw peacefully its forces from these territories.

Azerbaijan has a solid track record of pushing for result-oriented substantive negotiations to achieve progress in political resolution of the conflict. To this end, we called for active involvement of the OSCE Minsk Group and none of the members of this group, except Turkey, reciprocated these calls. I am asking the members of the Minsk Group why you avoid your responsibilities and how, in these circumstances, Azerbaijan is expected to implement its obligations which my country accepted? We call on those States who spoke about the commitments to ceasefire also to implement their own commitments on the basis of peace process as responsible members of the OSCE Minsk Group. We encourage you to restore the ownership of the OSCE over the conflict resolution process, because there are clear problems in this regard.

To remind once again, the Budapest Summit decision of 1994 strongly endorsed the mediation efforts of the OSCE Minsk Group as a whole and expressed appreciation for the efforts by individual members of the Minsk Group. It established the institution of Co-Chairmanship of the Minsk Conference to ensure a common and agreed basis for negotiations and to realize full co-ordination in all mediation and negotiation activities. Thus, the role and mandate of the Co-Chairs is identified within its precise limits. This mandate never meant to sideline the Minsk Group or to monopolize the process. Unfortunately, this is what is happening and it is happening with a deafening silence of the Minsk Group members.

Instead of focusing on the tasks given by the OSCE decisions and UN Security Council resolutions, the Co-Chairs over last years concentrated their activities on establishing so-called environment conducive to negotiations, which in itself is a precondition for negotiations and was interpreted by Armenia as such. The never-ending process of informal meetings that did not bring any tangible results over the past years only played into the hands of Armenia, which pursued the obvious goal of undermining the efforts towards the political resolution of the conflict and consolidating the status quo of occupation.

It is clear that there can be no business as usual. Assumptions, which were guiding the activities of the Co-Chairs for years did not work. There is urgent need to bring the conflict resolution process back on track. The UN Security Council resolutions, the principles of the Helsinki Final Act and the decisions and documents of OSCE provide political and legal framework for the resolution of the conflict, define the mandate of the Co-Chairs of the OSCE Minsk Group and identify tasks to be implemented and sequence to be followed.

Despite this clear framework and steps identified within the Minsk process, Co-chairs did not exercise pressure on Armenia to comply with UN Security Council resolutions and OSCE decisions, which envisage restoration of sovereignty and territorial integrity of Azerbaijan within its internationally recognized borders, which has never been and will never be a subject of negotiations or any compromise. Mediation activities on the resolution of the conflict must be directed to this end.

Instead of compelling Armenia to comply with its obligations under international law and UN Security Council resolutions, we see attempts by the co-chairing countries to

downplay the key decisions of the UN Security Council and OSCE that provide foundation for their activities. In most recent episode, the co-chairing countries refused to include reference to the UN Security Council resolutions in the draft statement, which was proposed by them to be adopted after the informal discussions of the Armenia-Azerbaijan conflict in the UN Security Council on 19 October. In spite of clear overwhelming support by members of the Security Council in favour of including reference to United Nations Security Council resolutions, co-chairing countries preferred not to have United Nations Security Council Presidential Statement calling for a ceasefire rather than having one, which would refer to the UNSC resolutions. We consider this as attempted departure from key commitments and obligations contained in those UN Security Council resolutions and OSCE decisions. Deviation from this established framework of negotiations undermines the Co-Chairs' impartiality and contributes to deepening mistrust, thus making the prospect of the soonest resolution of the conflict elusive.

The Republic of Azerbaijan has demonstrated that the military occupation of the territory of Azerbaijan does not represent a solution and will never produce a political outcome desired by Armenia. Azerbaijan will never reconcile with so-called reality created through unlawful use of force. Azerbaijan will restore its sovereignty and territorial integrity, either through peaceful or politico-military means. In doing so, Azerbaijan implements the United Nations Security Council resolutions, which were supposed to be implemented by the OSCE as a regional arrangement under chapter VIII of the UN Charter. We have changed the status quo and created new reality on the ground that everybody will have to reckon with. Azerbaijan liberated from the Armenian occupation most of its occupied territories.

There is still a chance to resolve the conflict by political means and to save lives. Armenia must start to implement the demands of United Nations Security Council resolutions and withdraw its armed forces from the remaining occupied territories of Azerbaijan. Armenian Prime Minister has to denounce the use of force and to recognize the territorial integrity of Azerbaijan within its international recognized boundaries. Implementation of these steps will be conducive for bringing about peace to the region. Our expectation from the meeting of Foreign Ministers of Armenia and Azerbaijan with the Co-Chairs tomorrow in Geneva is swift elaboration of concrete timetable of withdrawal of the Armenian armed forces from the occupied territories of Azerbaijan.

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

Thank you, Mr. Chairperson.





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**1287th Plenary Meeting**

PC Journal No. 1287, Agenda item 2(e)

**STATEMENT BY THE DELEGATION OF ARMENIA**

Mr. Chairperson,

We thank the distinguished delegation of the United States for the statement on behalf of the OSCE Minsk Group Co-Chairs once again confirming the position of the Co-Chairs on an exclusively peaceful resolution of the Nagorno-Karabakh conflict. We also thank the distinguished delegations of Switzerland, Germany on behalf of the EU, Canada and the United Kingdom for their calls for an immediate cessation of hostilities and adherence to the humanitarian truces agreed on 10, 17 and 25 October.

We appreciate the continued efforts of the OSCE Minsk Group Co-Chair countries and their full and sincere engagement in and contribution to reaching the agreements on ceasefire.

Unfortunately, the agreements reached through the efforts of all three Co-Chair countries still remain agreements only on paper on account of Azerbaijan's treacherous stance, encouraged by Turkey, and its actions aimed at further aggravating the situation. We reiterate our firm conviction that it is Turkey, with the extremely destructive policy which we have already spoken about, that is obstructing the establishment of a humanitarian truce. It is no coincidence that several hours before the joint United States-Armenia-Azerbaijan announcement on the latest humanitarian truce made following the intensive United States-facilitated negotiations in Washington, the President of Turkey reiterated his support to Azerbaijan and warned that "the U.S. does not know who they are dealing with," end of quotation.

In this context we would like to recall the words of US National Security Adviser Robert O'Brien, who stated, and I quote: "Under the President's direction, we have spent the entire weekend trying to broker peace between Armenia and Azerbaijan. Armenia has accepted a ceasefire. Azerbaijan has not yet. We are pushing Azerbaijan to do so."

Armenia reiterates its commitment to the agreements on the cessation of hostilities. A sustainable ceasefire, supported by verification mechanisms, is the only viable option to end the violence.

Taking into account Turkey's direct involvement in the Azerbaijani aggression and, furthermore, its export of foreign terrorist fighters and jihadist groups from Syria and Libya to the South Caucasus as a tool to extend its power into neighbouring regions by creating new

hotspots, Armenia can no longer consider this country as a legitimate and equal member of the Minsk Group. As I have stated on previous occasions, Turkey's membership in the Minsk Group undermines the credibility of this structure and hampers any progress in the settlement process.

Turkey cannot play any role in the resolution of the Nagorno-Karabakh conflict. We call on all OSCE participating States to continue to put pressure on Turkey to withdraw its military personnel and armaments from the South Caucasus, together with its affiliated terrorist groups.

Mr. Chairperson,

Today, in blatant violation of the United Nations Charter and the Helsinki Final Act, Azerbaijan and its allies are continuing to use force with the aim of settling the conflict by military means. The Azerbaijani and Turkish sides justify their actions by enthusiastically citing the four United Nations Security Council resolutions adopted in 1993. But in line with their usual practice, they refer only to certain provisions of the above-mentioned documents. Indeed, in 1993, amidst the active military hostilities, the United Nations Security Council adopted four resolutions concerning the Nagorno-Karabakh conflict.

The primary and most important requirement of those resolutions was the immediate cessation of fire, all hostilities and hostile acts. It is this basic provision of the four resolutions that has never been met by Azerbaijan, both in the 1990s and nowadays. The Azerbaijani side has consistently violated the ceasefire and rejected proposals on establishing or extending the truce, and continues to do so today.

In addition, the Azerbaijani side has neglected not only the main provision of the United Nations Security Council resolutions, but a number of other provisions as well. For example:

- Resolutions 822 and 853 urge the parties concerned to refrain from any action that will obstruct a peaceful solution to the conflict. Numerous actions by Azerbaijan are contrary to this demand, notably the war unleashed by Azerbaijan on 27 September, renewed hostilities, refusal to implement measures aimed at building confidence and reducing tensions, the propagation of xenophobia and hatred towards Armenians, as well as declaring Armenians around the world to be prime enemies of Azerbaijan.
- Resolution 853 also calls for the pursuit of negotiations through direct contacts between the parties. The UN Security Council resolutions identified Azerbaijan and Nagorno-Karabakh as parties to the conflict. Despite the demands and calls of the Security Council, Azerbaijan rejects direct contacts with the Artsakh Republic.
- The resolutions call for the restoration of economic, transport and energy links in the region. In its attempts to solve the conflict by force, Azerbaijan from the very beginning resorted to a blockade of Nagorno-Karabakh and Armenia, which continues to this day. Moreover, the complete isolation of Armenia and Nagorno-Karabakh has been declared by the President of Azerbaijan on numerous occasions to be a top priority of the country's foreign policy, again in clear violation of the resolutions.

- Three resolutions call for the ensuring of unimpeded access for international humanitarian relief efforts (resolutions 822, 853 and 874).
- And last but not least, specifically for the attention of Turkey – resolution 874 urges all States in the region to refrain from any hostile acts and from any interference or intervention which would lead to the widening of the conflict and undermine peace and security in the region.

The ceasefire agreement was concluded only a year after the adoption of the first resolution by the United Nations Security Council. Azerbaijan finally agreed to stop the military hostilities and in 1994 signed a ceasefire agreement with the Nagorno-Karabakh authorities, which has no time limitation. Back in 1994, Azerbaijan agreed to a ceasefire not to meet the requirements of the United Nations Security Council resolutions but because of its own military failures. By signing the ceasefire agreement, Azerbaijan also acknowledged Nagorno-Karabakh as a separate entity and a side in the conflict. This was also acknowledged by the United Nations Security Council, which in its resolutions was referring to the Armenians of Nagorno-Karabakh as a separate entity distinct from the Republic of Armenia.

Mr. Chairperson,

Even though Azerbaijan signed the Bishkek protocols establishing a ceasefire, even though Azerbaijan agreed to the peace process under the aegis of the OSCE Minsk Group Co-Chairs, even though Azerbaijan agreed to an exclusively peaceful resolution of the conflict, the Azerbaijani leadership has consistently claimed its right to a legitimate use of force against Artsakh. This line of argument has become a mantra for both the leaders and the society of Azerbaijan.

However, the two United Nations Security Council meetings held since Azerbaijan unleashed a war against Artsakh, as well as the statements of the OSCE Minsk Group Co-Chairs, who are permanent members of the United Nations Security Council, have announced positions of other States, and international organizations have disclaimed the legitimacy of the use of force for the settlement of the conflict.

Moreover, the Helsinki Final Act, which is the basis of the OSCE, states that “no such threat or use of force will be employed as a means of settling disputes.” Furthermore, “in the event of failure to reach a solution by any peaceful means, the parties to a dispute will continue to seek a mutually agreed way to settle the dispute peacefully.”

Azerbaijan, emboldened by the support of Turkey and foreign terrorist fighters and jihadists, has resorted to the use of force for the resolution of the Nagorno-Karabakh conflict and in the course of one month of fighting has committed war crimes. As such it should and would be held responsible for its actions under the existing international law.

Every statement, every comment, every interview of the President of Azerbaijan is evidence of constant violation of the UN Charter, Helsinki Final Act and all norms of humanitarian law. Those statements, comments, interviews are valuable proofs for definitely attributing the legal, political, moral and other responsibility for the war in Artsakh immediately to the President of Azerbaijan and other high officials. The same goes for their supporters.

Mr. Chairperson,

In conclusion, I would like, through the delegation of the United States, to once again thank the US Government for hosting in Washington the talks on ceasing the hostilities in the Nagorno-Karabakh conflict zone, in continuation of previous efforts by Russia and France. We appreciate your efforts and hope that the United States, together with other Co-Chair countries, will continue to put pressure on Azerbaijan and the so-called “third party”, which blatantly flouted the agreements on ceasefire reached on 10, 17 and 25 October, to abide by their commitments.

I would also like to reiterate the commitment of Armenia and Artsakh to a peaceful resolution of the Nagorno-Karabakh conflict based on the basic principles of resolution endorsed by the Ministerial Council in Athens in 2009, wherein the right of the people of Artsakh to self-determination is recognized, and the commitment to refrain from the use or threat of use of force is affirmed.

Azerbaijan, whose actions are obviously in clear violation of the basic principles of resolution of the Nagorno-Karabakh conflict, is pursuing one goal and one goal only – to reconquer Artsakh and wipe out its people. This is what happened during the Soviet times to the Armenian people living in Nakhijevan and other parts of Azerbaijan. This is what the Azerbaijani and Turkish leaders have in mind for the people of Artsakh, while distorting the purpose and the essence of the United Nations Security Council resolutions to cover up their actions.

Mr Chairperson, I kindly request that my statement be attached to the journal of today’s meeting.

Thank you.