
Chairmanship: Slovakia**1244th PLENARY MEETING OF THE COUNCIL**

1. Date: Thursday, 17 October 2019

Opened: 10.10 a.m.

Suspended: 1 p.m.

Resumed: 3.05 p.m.

Closed: 6.10 p.m.

2. Chairperson: Ambassador R. Boháč
Mr. S. Kantor
Mr. B. Pavlovič

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

Agenda item 1: REPORT BY THE DIRECTOR OF THE OFFICE FOR
DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS
(ODIHR)

Chairperson, Director of the ODIHR (ODIHR.GAL/60/19 OSCE+), Russian Federation (PC.DEL/1134/19), Finland-European Union (with the candidate countries Albania, Montenegro and North Macedonia; the European Free Trade Association country Iceland, member of the European Economic Area; as well as San Marino, in alignment) (PC.DEL/1166/19), Azerbaijan (PC.DEL/1146/19 OSCE+), Switzerland, Norway (PC.DEL/1149/19), Kazakhstan, Holy See (PC.DEL/1133/19 OSCE+), Canada, United States of America, Turkmenistan, Serbia (PC.DEL/1148/19 OSCE+), Georgia (PC.DEL/1162/19 OSCE+), Albania (PC.DEL/1157/19 OSCE+), Armenia (PC.DEL/1170/19), Bosnia and Herzegovina (PC.DEL/1137/19 OSCE+), Poland, Turkey (PC.DEL/1138/19 OSCE+), Tajikistan (PC.DEL/1159/19 OSCE+), Liechtenstein (PC.DEL/1135/19 OSCE+), Ukraine (PC.DEL/1141/19), Finland-European Union

Agenda item 2: REPORT BY THE HEAD OF THE OSCE MISSION TO
MOLDOVA

Chairperson, Head of the OSCE Mission to Moldova (PC.FR/29/19 OSCE+), Russian Federation (PC.DEL/1136/19), Finland-European Union (with the candidate countries 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 Georgia, in alignment) (PC.DEL/1165/19), Norway (PC.DEL/1150/19), Turkey (PC.DEL/1158/19 OSCE+), United States of America (PC.DEL/1151/19), Switzerland, Ukraine (PC.DEL/1142/19), Moldova (PC.DEL/1139/19 OSCE+)

Agenda item 3: REVIEW OF CURRENT ISSUES

- (a) *Russia's ongoing aggression against Ukraine and illegal occupation of Crimea:* Ukraine (PC.DEL/1143/19), Finland-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/1168/19), Switzerland, Turkey (PC.DEL/1160/19 OSCE+), Canada, United States of America (PC.DEL/1154/19)
- (b) *Situation in Ukraine and the need to implement the Minsk agreements:* Russian Federation (PC.DEL/1140/19), Ukraine
- (c) *49th round of the Geneva International Discussions, held on 8 and 9 October 2019:* Finland-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, San Marino and Ukraine, in alignment) (PC.DEL/1169/19), United States of America (PC.DEL/1152/19) (PC.DEL/1153/190), Russian Federation (PC.DEL/1145/19), Ukraine, Georgia (PC.DEL/1163/19 OSCE+)

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

- (a) *Ambassadorial visit to Tajikistan, Uzbekistan and Kazakhstan, conducted from 6 to 11 October 2019:* Chairperson
- (b) *Twenty-Sixth Meeting of the OSCE Ministerial Council, to be held in Bratislava on 5 and 6 December 2019:* Chairperson
- (c) *Ambassadorial retreat to be held in Rajecské Teplice, Slovakia, on 4 and 5 November 2019:* Chairperson
- (d) *Reinforced ambassadorial retreat to be held in Bratislava on 19 November 2019:* Chairperson, Russian Federation

- (e) *Invitation to a concert on the occasion of the 30th anniversary of the Velvet Revolution in the former Czechoslovakia, to be held on 18 November 2019:* Chairperson

Agenda item 5: REPORT OF THE SECRETARY GENERAL

- (a) *Announcement of the distribution of a written report of the Secretary General (SEC.GAL/172/19 OSCE+):* Acting Director of the Department of Management and Finance
- (b) *Annual Economic and Environmental Dimension Implementation Meeting, held on 14 and 15 October 2019:* Acting Director of the Department of Management and Finance (SEC.GAL/172/19 OSCE+)
- (c) *Visit of the Secretary General to Serbia on 9 and 10 October 2019:* Acting Director of the Department of Management and Finance (SEC.GAL/172/19 OSCE+)
- (d) *Participation of the Office of the Co-ordinator of OSCE Economic and Environmental Activities in the Fourth Regional Forum of the Union for the Mediterranean, held in Barcelona, Spain, on 10 October 2019:* Acting Director of the Department of Management and Finance (SEC.GAL/172/19 OSCE+)
- (e) *Follow-up visit to Tajikistan by the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, undertaken on 15 and 16 October 2019:* Acting Director of the Department of Management and Finance (SEC.GAL/172/19 OSCE+)

Agenda item 6: ANY OTHER BUSINESS

- (a) *Briefing on the ambassadorial visit to Tajikistan, Uzbekistan and Kazakhstan, conducted from 6 to 11 October 2019:* Italy, Russian Federation, Kazakhstan, Tajikistan, Uzbekistan
- (b) *Seventh Summit of the Cooperation Council of Turkic Speaking States, held in Baku on 15 October 2019:* Azerbaijan (Annex 1) (PC.DEL/1164/19 OSCE+), Kazakhstan, Uzbekistan, Kyrgyzstan, Turkey (PC.DEL/1161/19 OSCE+), Turkmenistan, Armenia (PC.DEL/1172/19)
- (c) *Meeting of the Council of Heads of State of the Commonwealth of Independent States, held in Ashgabat on 11 October 2019:* Turkmenistan, Russian Federation (PC.DEL/1147/19), Kazakhstan, Uzbekistan, Azerbaijan, Belarus (PC.DEL/1156/19 OSCE+), Kyrgyzstan, Tajikistan, Armenia
- (d) *Democracy and the rule of law in Spain:* Spain (Annex 2)
- (e) *23rd World Congress on Information Technology, held in Yerevan from 6 to 9 October 2019:* Armenia (PC.DEL/1171/19)

- (f) *Second anniversary of the murder of journalist and blogger Ms. D. Caruana Galizia*: Malta (Annex 3), Finland-European Union (with the candidate countries 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, Liechtenstein and Norway, members of the European Economic Area; as well as Georgia and Moldova, in alignment) (PC.DEL/1167/19), United States of America (PC.DEL/1155/19)

4. Next meeting:

Thursday, 31 October 2019, at 10 a.m., in the Neuer Saal



1244th Plenary Meeting

PC Journal No. 1244, Agenda item 6(b)

STATEMENT BY THE DELEGATION OF AZERBAIJAN

Mr. Chairperson,

The delegation of Azerbaijan would like to inform the Permanent Council about the Seventh Summit of the Cooperation Council of Turkic Speaking States (Turkic Council), which was held in Baku on 15 October 2019.

The summit was hosted by H.E. Mr. Ilham Aliyev, President of the Republic of Azerbaijan, and was attended by H.E. Mr. Nursultan Nazarbayev, First President of the Republic of Kazakhstan; H.E. Mr. Sooronbay Jeenbekov, President of the Kyrgyz Republic; H.E. Mr. Recep Tayyip Erdoğan, President of the Republic of Turkey; and H.E. Mr. Shavkat Mirziyoyev, President of the Republic of Uzbekistan. H.E. Mr. Viktor Orbán, Prime Minister of Hungary, attended the summit as an observer and H.E. Mr. Purli Agamyradov, Deputy Chairman of the Cabinet of Ministers of Turkmenistan, as a guest. The Secretary General of the Turkic Council, H.E. Mr. Baghdad Amreyev, also participated in the event.

We congratulate Uzbekistan on becoming a new member of the Turkic Council.

Azerbaijan hosted the Seventh Summit of the Turkic Council at an important, even critical time, when concerted efforts and effective responses to the global risks and challenges play an important role in attaining the goals and objectives of the Council. The summit provided an opportunity to reflect on regional and global developments, and to explore new prospects for strengthening co-operation in all areas of mutual interest.

The summit coincided with the tenth anniversary of signing of the historic Nakhchivan Agreement on 3 October 2009, which laid the foundations of the Turkic Council. In accordance with this agreement, the Member States of the Turkic Council jointly contribute to strengthening peace, ensuring security and stability in the region and in the world, including through reaffirming their adherence to the purposes and principles of the Charter of the United Nations and other universally recognized principles and norms of international law, including sovereign equality, territorial integrity and the inviolability of internationally recognized borders of States.

Since its establishment, the Turkic Council has enabled comprehensive and mutually beneficial co-operation among its Member States and played a unique role in promoting and

preserving the historical heritage of the Turkic-speaking nations, as well as embracing our common culture, traditions and values.

Achieving stronger economic co-operation among the Turkic Council's Member States, including intensification of efforts to revitalize the historic Silk Road and to improve it with new infrastructure projects, will be among Azerbaijan's priorities during its Chairmanship of the Council. This was reflected in the recent summit's theme: "Supporting Small and Medium-sized Enterprises".

Azerbaijan supports the deepening of co-operation between the Member States of the Turkic Council and Hungary, as an Observer State, and welcomes the opening of the Representation Office of the Council in Budapest on 19 September 2019. The co-operation between Hungary and the Member States of the Turkic Council is being successfully developed in a wide range of areas and we are confident that the Representation Office will serve as a facilitator in strengthening the Turkic Council's ties with European institutions.

During its Chairmanship of the Turkic Council, Azerbaijan intends further to enhance its relations with the Council's Member States, both at the bilateral and multilateral formats. We are convinced that there is untapped potential for co-operation between the OSCE and the Turkic Council, whose Member States are also participating States of the OSCE. Advancement of relations between the two organizations, which share the same principles and values, will provide valuable impetus to achieving our common objective of strengthening peace, security and stability in the region. To this end, we encourage the OSCE Secretariat and relevant executive structures to work together with the Secretariat of the Turkic Council in order to intensify co-operation, particularly in the economic dimension of security.

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

Thank you, Mr. Chairperson.



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

PC.JOUR/1244
17 October 2019
Annex 2

ENGLISH
Original: SPANISH

1244th Plenary Meeting

PC Journal No. 1244, Agenda item 6(d)

STATEMENT BY THE DELEGATION OF SPAIN

Mr. Chairperson,

The Permanent Representation of Spain to the OSCE has kept the Organization regularly informed about the situation in Catalonia through its statements at the Permanent Council meetings under the heading “Democracy and the rule of law in Spain”.

In this spirit of transparency, normality and trust with the participating States, Partners for Co-operation, institutions and the OSCE Secretariat, this delegation is taking the floor once again; on this occasion, after the judicial ruling of the Supreme Court on case no. 20907/2017, made public this Monday.

The Government of Spain, in an institutional statement delivered by the Prime Minister within a few hours of the announcement of the judicial ruling, expressed its absolute respect for the judicial decision. At the same time, it said that the ruling had brought to a conclusion a judicial process that had been conducted with full guarantees and transparency, as befits a social and democratic State governed by the rule of law.

Equality, freedom, justice and political pluralism are enshrined in the Spanish Constitution, a modern and rights-based constitution, as the cornerstones of the country’s legal system.

The basis for this is the principle that strengthens Spanish democracy: all citizens are equal before the law. No one is above the law and we are all required to comply with the law.

In a democracy, nobody is judged by their ideas or by their political projects, but by crimes under our legal system.

The 1978 Constitution put an end to the Franco dictatorship. It allowed us to integrate into the European Union. Ultimately, in just over 40 years, a record time, it made Spain into one of the best democracies in the world. This is a Constitution, it should be remembered, that was endorsed by the Catalans with an overwhelming majority.

Mr. Chairperson,

Our Constitution contains three fundamental principles:

- The first is equality among citizens.
- The second is territorial diversity. The unity of Spain is based on the recognition of its rich diversity, which is reflected in a high degree of self-governance of the autonomous communities. The level of self-governance in Catalonia, like that of all our country's autonomous governments, is one of the highest in the world.
- The third, like any democratic constitution in the world that is comparable to the Spanish Constitution, is the inviolability of territorial integrity and the defence of national sovereignty.

The violation of these three democratic principles underpins the actions that have been sanctioned in the Supreme Court ruling.

- First, the rights of the non-separatist social majority of Catalonia have been disregarded and this has given rise to a breakdown in coexistence within Catalan society.
- Second, Catalan self-governance is recognized and enshrined in the Statute of Autonomy of Catalonia, which was trampled upon and violated unilaterally by Catalan separatism.
- Third, territorial integrity and the principle of national sovereignty were attacked, and with them the rights and freedoms of the whole of Catalan society and the Spanish nation as a whole.

Mr. Chairperson,

In the same statement, the Prime Minister indicated that, in the coming days, the Government of Spain would remain vigilant in its commitment to safeguarding coexistence, security and respect for democratic legality. It would do so with democratic resoluteness, proportionality and from a position of unity.

Beyond the immediate reaction to the ruling, the Government, he said, would always help to facilitate the reunion of Catalan society, fractured today by separatism.

The Prime Minister recalled that the authorities in Catalonia needed to engage in dialogue with their own people. It is coexistence in Catalonia that is at stake, not the territorial integrity of Spain. The Government and Parliament of Catalonia must assume that responsibility, the responsibility to represent each and every Catalan, to govern for all Catalans, not for a minority linked to the separatist movement. If they assumed that responsibility, they would find that the Government of Spain was willing to contribute to the dialogue in accordance with constitutional law.

The ruling concludes an exemplary judicial process, but at the same time shines a light on the shipwreck of a political manoeuvre, based on disinformation and continuous lies, which has failed in its attempt to obtain internal support and international recognition. All it leaves in its wake is an unhappy balance of pain and confrontation, a shattered coexistence in Catalonia.

Mr. Chairperson, I will come to a close.

The Prime Minister affirmed that Catalonia could now embark on a new chapter and focus its efforts on re-establishing harmony in the region.

A chapter in which a modern, pluralist and tolerant Catalonia could play the key role afforded to it by law and history within Spain. A chapter in which we could all contribute together to strengthening Europe – the common homeland of the twenty-first century. Europe as a shared future; precisely the project in which Catalan society and Spain as a whole see themselves reflected.

We are currently facing challenges that require us to share our sovereignties, not tear them to pieces. Europe is the common area in which we will respond to the challenges of the twenty-first century.

The transformation of our economy and societies that is brought about, for example, by the digital revolution; the safeguarding of social rights and freedoms; the response to climate change; and the challenge posed by international terrorism have a global dimension and can only be addressed within a supranational project, which in the case of Spain is the European Union.

The Prime Minister concluded his statement by reiterating that Catalonia's sole objective now was to restore the conditions for coexistence in the region. The method will always be dialogue and the rule can only be the rule of law – the Spanish Constitution.

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

Thank you very much, Mr. Chairperson.



1244th Plenary Meeting

PC Journal No. 1244, Agenda item 6(f)

STATEMENT BY THE DELEGATION OF MALTA

Mr. Chairperson,

Yesterday marked the second anniversary of the brutal murder of Ms. Daphne Caruana Galizia. As we recall this heinous attack on a journalist, which was immediately condemned at the highest level, the Government of Malta remains determined to resolve this case in all its aspects and to continue to deliver justice. It is to be noted that three persons have already been indicted.

We also take this occasion to express our solidarity with the grieving family and note the recent dialogue between the Prime Minister and the family aimed at reaching agreement on the public inquiry that was announced recently.

As part of our commitment to transparency, I should like to take this opportunity to share the latest developments with you.

In our last update, which we gave at the 1236th meeting of the Permanent Council on 18 July, we informed the Permanent Council that the three persons accused of the murder of Ms. Caruana Galizia had been served with a bill of indictment.

Just two months after that important development, Prime Minister Joseph Muscat, on 20 September, appointed Judge Emeritus Michael Mallia to preside over an independent public inquiry into the murder of Ms. Caruana Galizia, under the Inquiries Act (Chapter 273 of the Laws of Malta). The Board of Inquiry has specific terms of reference which oblige it to endeavour to conclude its work within nine months.

The inquiry was announced following technical discussions with officials of the Council of Europe, and in line with the Government's consistent position that the establishment of a public inquiry should not undermine the integrity of the investigations and criminal proceedings which are already under way. Thus, a specific point in the aforementioned terms of reference makes it clear that the inquiry should be conducted "in such a way as not to impede or compromise any criminal investigation or prosecution or its integrity".

The Government of Malta will ensure that everything is done to convict all the persons who were behind the murder. As reiterated in the press release that it issued

yesterday, the Government has “full faith in the ongoing work of the investigators and the independent inquiring magistrate, who should be allowed to continue carrying out their duties in a serene and independent manner”.

Malta remains committed to continuing its engagement and co-operation with relevant international organizations. Our country is very grateful for the assistance provided by the OSCE Representative on Freedom of the Media, especially during the legislative reform process that led to the enactment and entry into force of the new Media and Defamation Act, 2018. The Act marks an important development in bringing Maltese media law into line with the highest international standards on freedom of expression. Malta is resolved to maintain an open channel for dialogue and co-operation, as manifested by the high-level meeting held earlier this week during the visit of the OSCE Representative on Freedom of the Media to our country. We also call for the full implementation of the provisions contained in the Milan Ministerial Council Decision on the safety of journalists.

Mr. Chairperson, I kindly request that this statement be attached, together with the aforementioned press release, to the journal of the day.

Thank you.

PR192205

16/10/2019

STATEMENT BY THE GOVERNMENT OF MALTA

Two years after the assassination of Daphne Caruana Galizia, which represents a shocking attack on the whole country, the Government of Malta reiterates the commitment of the competent authorities to continue delivering justice.

The investigations, with the involvement at various stages of international organisations such as FBI and Europol, are ongoing. Within 50 days of the murder, three persons were arrested and arraigned in Court accused of the murder of Daphne Caruana Galizia. Earlier this year, they were placed under a bill of indictment.

The Government has full faith in the ongoing work of the investigators, and the independent inquiring magistrate, who should be allowed to continue carrying out their duties in a serene and independent manner.

An independent inquiry, as already announced by the Maltese Government, is also being established.