

Chairmanship: Albania

1290th PLENARY MEETING OF THE COUNCIL

1. Date: Thursday, 19 November 2020 (via video teleconference)

Opened: 10.05 a.m.
Suspended: 1.10 p.m.
Resumed: 3 p.m.
Closed: 6.10 p.m.

2. Chairperson: Ambassador I. Hasani

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

Agenda item 1: ADDRESS BY THE CO-CHAIRS OF THE MINSK GROUP

Discussion under agenda item 3

Agenda item 2: ADDRESS BY THE PERSONAL REPRESENTATIVE OF
THE CHAIRPERSON-IN-OFFICE ON THE CONFLICT
DEALT WITH BY THE OSCE MINSK CONFERENCE

Discussion under agenda item 3

Agenda item 3: REPORT BY THE HEAD OF THE HIGH-LEVEL
PLANNING GROUP

Chairperson, Co-Chair of the Minsk Group (Russian Federation), Co-Chair of the Minsk Group (France) (PC.DEL/1638/20 OSCE+), Co-Chair of the Minsk Group (United States of America), Personal Representative of the Chairperson-in-Office on the Conflict Dealt with by the OSCE Minsk Conference, Head of the High-Level Planning Group, Germany-European Union (with the candidate countries Albania, Montenegro, North Macedonia and Serbia; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Liechtenstein, members of the European

1 Includes a correction to the text of annex 3.

Economic Area; as well as Andorra, Georgia, Moldova and San Marino, in alignment) (PC.DEL/1657/20), Russian Federation (PC.DEL/1619/20), United States of America (PC.DEL/1610/20), Turkey (PC.DEL/1649/20 OSCE+), Switzerland (PC.DEL/1612/20 OSCE+), United Kingdom, Norway (PC.DEL/1642/20), Canada (PC.DEL/1697/20 OSCE+), Armenia (Annex 1), Azerbaijan (Annex 2)

Agenda item 4: REPORT BY THE OSCE REPRESENTATIVE TO THE
LATVIAN-RUSSIAN JOINT COMMISSION ON MILITARY
PENSIONERS

Chairperson, OSCE Representative to the Latvian-Russian Joint Commission on Military Pensioners (PC.FR/41/20 OSCE+), Germany-European Union (with the candidate countries Albania, Montenegro, North Macedonia and Serbia; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Georgia and Ukraine, in alignment) (PC.DEL/1656/20), Russian Federation (PC.DEL/1611/20 OSCE+), United States of America (PC.DEL/1614/20) (PC.DEL/1622/20)

Agenda item 5: REPORT BY THE OSCE PROJECT CO-ORDINATOR IN
UKRAINE

Chairperson, OSCE Project Co-ordinator in Ukraine, 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/1653/20), Russian Federation (PC.DEL/1616/20), United States of America (PC.DEL/1615/20), Turkey (PC.DEL/1640/20 OSCE+), United Kingdom, Ukraine (PC.DEL/1630/20), Norway (PC.DEL/1644/20)

Agenda item 6: REVIEW OF CURRENT ISSUES

Chairperson

- (a) *Russia's ongoing aggression against Ukraine and illegal occupation of Crimea:* Ukraine (PC.DEL/1631/20), Canada (PC.DEL/1699/20 OSCE+), 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/1659/20), Turkey (PC.DEL/1641/20 OSCE+), United States of America (PC.DEL/1618/20), Switzerland (PC.DEL/1636/20 OSCE+), United Kingdom
- (b) *Situation in Ukraine and the need to implement the Minsk agreements:* Russian Federation (PC.DEL/1629/20), Ukraine
- (c) *Aggression of Azerbaijan against Artsakh and Armenia with the direct involvement of Turkey and foreign terrorist fighters:* Armenia (Annex 3)

- (d) *Seventy-fifth anniversary of the Nuremberg Tribunal*: Russian Federation (PC.DEL/1628/20), United States of America (PC.DEL/1620/20), Belarus (PC.DEL/1621/20 OSCE+), United Kingdom, Lithuania (PC.DEL/1635/20 OSCE+), Germany (PC.DEL/1632/20 OSCE+)
- (e) *Human rights violations in Belarus*: Germany-European Union (with the candidate countries Albania, Montenegro, North Macedonia and Serbia; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Ukraine, in alignment) (PC.DEL/1652/20), United States of America (PC.DEL/1623/20), United Kingdom, Canada (PC.DEL/1696/20 OSCE+), Norway (PC.DEL/1643/20), Belarus (PC.DEL/1627/20 OSCE+)
- (f) *Situation in the de-occupied territories of Azerbaijan in the context of implementation of the trilateral agreement of 9 November*: Azerbaijan (Annex 4), Turkey (PC.DEL/1650/20 OSCE+)

Agenda item 7: REPORT ON THE ACTIVITIES OF THE
CHAIRMANSHIP-IN-OFFICE

- (a) *Information circular on arrangements for the Twenty-Seventh Meeting of the OSCE Ministerial Council, to be held in a virtual format on 3 and 4 December 2020*: Chairperson
- (b) *Reinforced meeting, to be held in a virtual format on 23 November 2020*: Chairperson
- (c) *Circulation of a letter by the Foreign Minister of North Macedonia, Mr. Bujar Osmani, and a letter by the Foreign Minister of Estonia, Mr. Urmas Reinsalu*: Chairperson

Agenda item 8: REPORT ON THE ACTIVITIES OF THE SECRETARIAT

- (a) *Update on the COVID-19 situation across the OSCE's executive structures*: Officer-in-Charge/Secretary General (SEC.GAL/178/20 OSCE+)
- (b) *"Debating Perspectives 2030 Roadshow", hosted by the OSCE Academy in Bishkek on 13 November 2020*: Officer-in-Charge/Secretary General (SEC.GAL/178/20 OSCE+)
- (c) *Online exhibition to commemorate the thirtieth anniversary of the Charter of Paris, curated by the OSCE Documentation Centre in Prague*: Officer-in-Charge/Secretary General (SEC.GAL/178/20 OSCE+)

Agenda item 9: ANY OTHER BUSINESS

- (a) *Presidential elections in Moldova, held on 1 and 15 November 2020*: Moldova, Germany-European Union (with the candidate countries Albania, Montenegro, North Macedonia and Serbia; the country of the Stabilisation and

Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area; as well as Georgia, Moldova and Ukraine, in alignment) (PC.DEL/1655/20), Russian Federation (PC.DEL/1626/20), United Kingdom (PC.DEL/1647/20 OSCE+), United States of America (PC.DEL/1624/20), Romania (PC.DEL/1637/20 OSCE+), Azerbaijan (PC.DEL/1634/20 OSCE+)

- (b) *Presidential election in Kyrgyzstan, to be held on 10 January 2021:*
Kyrgyzstan, United States of America (PC.DEL/1625/20)
- (c) *Local elections in Bosnia and Herzegovina, held on 15 November 2020:*
Bosnia and Herzegovina (PC.DEL/1639/20 OSCE+)

4. Next meeting:

Thursday, 26 November 2020, at 10 a.m., via video teleconference



1290th Plenary Meeting

PC Journal No. 1290, Agenda item 3

STATEMENT BY THE DELEGATION OF ARMENIA

Mr. Chairperson,

The delegation of Armenia thanks the Co-Chairs of the OSCE Minsk Group, Ambassadors Igor Popov, Stéphane Visconti and Andrew Schofer, for their appearance at the Permanent Council meeting and for their report.

The OSCE Minsk Group Co-Chairs continue to remain the only internationally agreed format for the resolution of the Nagorno-Karabakh conflict, which throughout the years has accumulated the knowledge of the history and root causes of the conflict and is thoroughly familiar with the situation on the ground. All issues concerning the Nagorno-Karabakh peace process are subject to discussion within this format.

It is regrettable that the previous ceasefires successively negotiated and facilitated by the three Co-Chair countries of the Minsk Group, and agreed upon by the sides, were violated by Azerbaijan almost immediately after it left the negotiating table.

Armenia was a staunch supporter of the peaceful negotiation process under the auspices of the Co-Chairs of the OSCE Minsk Group and, after 44 days of extremely brutal war unleashed by Azerbaijan, continues to believe that there is no military solution to the conflict.

Armenia has always advocated a peaceful resolution of the conflict, consistently rejecting an “all or nothing approach” and actions based on the threat or use of force. Therefore, any situation resulting from aggression and war, accompanied by large-scale violations of international law and international humanitarian law, war crimes and ethnic cleansing, cannot in any way be considered as sustainable or as a basis for a lasting political solution to the conflict.

Mr. Chairperson,

We would like to commend the active engagement and personal and tireless efforts of the President of the Russian Federation Vladimir Putin and Foreign Minister Sergey Lavrov aimed at a cessation of hostilities, which is currently holding thanks to the deployment of Russian peacekeepers.

At the same time, the major issues of the Nagorno-Karabakh conflict remain. They require a political solution and should be addressed within the negotiations under the auspices of the OSCE Minsk Group Co-Chairs, that is, France, the Russian Federation and the United States. The issues of the political status of Artsakh, the safety and security of its population, and the dignified and secure return of recently displaced persons are fundamental blocks for the comprehensive resolution of the conflict and for lasting and sustainable peace in the region.

Despite the continued challenges posed by COVID-19 we nevertheless expect that the Minsk Group Co-Chairs will redouble their efforts to that end.

Mr. Chairperson,

We have taken note of the report of the Personal Representative of the Chairperson-in-Office on the Conflict Dealt with by the OSCE Minsk Conference, Ambassador Andrzej Kasprzyk. The office of the Personal Representative is the only OSCE presence on the ground and throughout the years it has played an important role in monitoring the ceasefire and reducing the risk of the resumption of military hostilities.

The suspension of monitoring activities by the office of the Personal Representative due to the COVID-19 pandemic played a negative role in the development of the situation. Furthermore, on 25 September, two days before the unleashing of war on Artsakh, the Ministry of Defence of the Republic of Azerbaijan rejected the request by the Personal Representative of the OSCE Chairperson-in-Office to organize ceasefire monitoring along the line of contact. This rejection should have served as an early warning signal, and we regret that there was no adequate reaction to this Azerbaijani decision.

Mr. Chairperson,

Let me also thank the Head of the High-Level Planning Group, Lieutenant Colonel Sulo Mustafaraj, for his presentation. Our position with regard to the High-Level Planning Group is well known. With its current composition, the High-Level Planning Group does not enjoy our support. The High-Level Planning Group and all its members should be able to treat all parties to the conflict in an equal and impartial manner. Only then may the Group enjoy the support and consent of all parties to the conflict. The war has once again vividly demonstrated the legitimacy of our concerns in this regard. Moreover, the position of an external party to the conflict, combined with the attempts of Azerbaijan to change the mandate of the group, is counterproductive and obstructs the work of the High-Level Planning Group.

With these words, let me once again thank the Co-Chairs of the OSCE Minsk Group, the Personal Representative of the OSCE Chairperson-in-Office and the Head of the High-Level Planning Group for attending the meeting and allow me to express our support for the redoubling of the efforts of the Co-Chairs of the OSCE Minsk Group towards the peaceful resolution of the Nagorno-Karabakh conflict.

I thank you.



1290th Plenary Meeting

PC Journal No. 1290, Agenda item 3

STATEMENT BY THE DELEGATION OF AZERBAIJAN

Mr. Chairperson,

The delegation of the Republic of Azerbaijan welcomes the Co-Chairs of the OSCE Minsk Conference, the Head of the High-Level Planning Group and the Personal Representative of the Chairperson-in-Office on the Conflict Dealt with by the OSCE Minsk Conference back to the Permanent Council and thanks them for their statements.

Since the last appearance of the Co-Chairs at the Permanent Council the status quo in the Armenia-Azerbaijan conflict has changed and progress in the cessation of the armed conflict has been registered, as reflected in the trilateral statement of Armenia, Azerbaijan and the Russian Federation signed on 9 November 2020. The agreement reached is aimed at eliminating the major consequences of the conflict between Armenia and Azerbaijan, which will pave the way towards establishing just and durable peace in the region.

Azerbaijan highly appreciates the efforts that the Russian side is making to resolve the Armenia-Azerbaijan conflict. Russia is a permanent member of the United Nations Security Council and is the only country out of three co-chairing States of the OSCE Minsk Group that directly borders our region and has long-standing historical ties with it. This explains Russia's direct interest in strengthening security, stability and peace in the South Caucasus. Russian President V. Putin in his recent interview in sufficient detail talked about the important role that the mediation of the head of the Russian State played in reaching the agreement of 9 November 2020. The personal engagement of the President of Russia and his signature under the trilateral agreement represent his extremely important contribution to the peace process and the guarantee of the irreversibility of this process.

We fully share the assessment of the President of Russia that an important achievement of the trilateral statement is the cessation of the bloodshed. The Azerbaijani side has always and completely, since the first minutes of the war, supported the calls of the international community for a ceasefire.

Of particular importance are the words of the President of Russia that from the point of view of international law, both the Nagorno-Karabakh region and all adjacent districts are an integral part of the territory of Azerbaijan. This position of Russia rests on a solid foundation of the United Nations Security Council resolutions, decisions of the OSCE and other international organizations.

Other co-chairing countries, namely the United States and France, should also display such a principled position based on United Nations Security Council resolutions and OSCE principles and commitments.

A complete ceasefire holds to date and all military activities have been ceased as corroborated by the reports on the ground. We welcome the ongoing exchange between Azerbaijan and Armenia of the bodies of deceased servicemen with the assistance of the International Committee of the Red Cross (ICRC) as well as Russian peacekeepers deployed in Azerbaijan along the line of contact in line with the provisions of the above-mentioned statement. Prisoners of war and persons detained in connection with the conflict should be exchanged without delay on the basis of principle all-for-all.

According to the 9 November agreement, Armenia must withdraw its armed forces from the Kalbajar district of Azerbaijan by 15 November 2020, from the Aghdam district by 20 November and from the Lachyn district by 1 December. According to the reports of the Ministry of Defence of Azerbaijan the armed forces of Armenia gradually withdraw from these territories. I wish to inform the Permanent Council that on 15 November Armenia requested through the Russian Federation to extend the deadline for pulling out its armed forces from the Kalbajar district until 25 November to complete the process. Azerbaijan granted this request. The Ministry of Defence of Azerbaijan is closely monitoring the withdrawal process, including by using aerial surveillance means.

Withdrawal of Armenia's troops from the remaining occupied territories of Azerbaijan by 1 December, as stipulated in the above-mentioned agreement, is imperative to make the ceasefire sustainable. Upon withdrawal of the armed forces of Armenia from these territories the Azerbaijani armed forces will be deployed to the international border between Azerbaijan and Armenia and along the contact line with the Russian peacekeepers in the northern part of the Nagorno-Karabakh region of Azerbaijan.

The 9 November statement also contains an important provision related to the return of internally displaced persons (IDPs) and refugees to their homes under the supervision of the United Nations High Commissioner for Refugees (UNHCR). In light of existing wide-range commitments related to IDPs and refugees, our delegation for decades has been advocating for allocating adequate attention and resources by the OSCE's executive structures to the issue of protection of the rights of IDPs and refugees in affected OSCE participating States, including in Azerbaijan. Our appeals did not find support among the participating States. We were told that there was no consensus in the OSCE on this issue, implying that Armenia has consistently opposed to any references to IDPs in OSCE documents. As was confirmed by the President of Russia, Azerbaijan was ready to halt hostilities and agree to a ceasefire on 19 October, provided that the Azerbaijani IDPs would be able to return to their homes in the ancient Azerbaijani city of Shusha. The Armenian Prime Minister denied the right of Azerbaijanis to return to Shusha and insisted that Armenia would continue combat operations. Subsequently, Azerbaijani armed forces liberated the city of Shusha and restored Azerbaijan's sovereignty over this city. In this regard, the recent remarks of the Armenian prime minister that the return of displaced persons should be a priority are pathetic. While, we welcome the somewhat belated calls from other participating States on the need to return IDPs and refugees, we hope that there is genuine interest in

finding a solution to the problems of all IDPs and refugees and not an attempt to use this issue as a tool to advance political interests.

It is plausible that after three decades of consistent efforts of Azerbaijan to draw the attention of the international community, including the OSCE Minsk Group co-chairing countries to the purposeful destruction of the cultural and religious heritage of Azerbaijan in the occupied territories in violation of international humanitarian law, we have finally recently heard calls to preserve and to protect the cultural and religious sites. As Azerbaijan restores sovereignty over its territories it will protect all cultural property on its territory and provide for respect to all spiritual shrines and places of worship in line with its legislation as well as the relevant international instruments.

After the restoration of its full sovereignty Azerbaijan will start assessment and planning of the rehabilitation and reconstruction activities in the conflict-affected territories to allow for the return of the displaced population to their homes in safety and in dignity. Sustaining peace, rehabilitation and reconstruction activities, providing humanitarian assistance to those in need, including returning IDPs and refugees is an absolute priority for the Government of Azerbaijan. To this end, Azerbaijan is ready to work with relevant international partners, including the ICRC, UNHCR and other United Nations agencies as well as individual States, which are willing to contribute to peace and stability in the South Caucasus. The United Nations Security Council and General Assembly resolutions, including resolution 46/182 on strengthening of the coordination of humanitarian emergency assistance of the United Nations of 19 December 1991 provide an overarching framework for humanitarian relief activities. The Guiding Principles endorsed by United Nations General Assembly resolution 46/182 establish that humanitarian relief actions by States, international organizations and other entities and bodies should be exclusively humanitarian in nature and should be carried out in conformity with the principles of neutrality, impartiality and consent of the affected country, while fully respecting the sovereignty, territorial integrity and national unity of States in accordance with the Charter of the United Nations.

In line with the 9 November statement, obstacles to all economic and transport links in the region shall be lifted. The Republic of Armenia shall guarantee the safety of transport links to be established between the western regions of the Republic of Azerbaijan and the Nakhchivan Autonomous Republic of Azerbaijan with the aim of facilitating the free movement of persons, vehicles and cargo in both directions. The Republic of Azerbaijan shall guarantee the safe movement of persons, vehicles and cargo along the road passing through the Lachyn district of Azerbaijan in both directions.

Azerbaijan would like to thank the Russian Federation and the Republic of Turkey for their joint efforts to establish a Centre for control over the ceasefire and cessation of all hostilities, which will oversee the compliance with the obligations of Armenia and Azerbaijan under the 9 November agreement. These regional countries enjoying good relations with Azerbaijan and Armenia will play an important role as guarantors of the above-mentioned agreement and will contribute to peace and stability in the region.

Mr. Chairperson,

We have heard today calls to resume substantive negotiations to resolve the conflict under the auspices of the OSCE Minsk Group Co-Chairs. Azerbaijan has a solid track record

of pushing for result-oriented substantive negotiations to achieve progress in resolution of the conflict by political means. The primary objective of the peace process pursued within the OSCE Minsk Group had been the elimination of the major consequences of the conflict, thus ensuring immediate, complete and unconditional withdrawal of Armenia's armed forces from the occupied territories of Azerbaijan and restoring the sovereignty and territorial integrity of Azerbaijan. That is what international law, the United Nations Security Council resolutions and OSCE documents and decisions demand. However, our plea to resolve the conflict peacefully through negotiations fell on deaf ears. Extremely provocative statements and actions of Armenia, which pursued the obvious goal of derailing the peace process and consolidating the status quo did not receive adequate reaction and condemnation, which, to a large extent, contributed to the all-out war with all its consequences.

So, these renewed calls should take into account the new realities on the ground and the fact that after almost three decades of the Minsk process we have an agreement reached by Azerbaijan, Armenia and Russia in its capacity as one of the Co-Chairs of the OSCE Minsk Group. The 9 November agreement symbolizes the triumph of international law, the supremacy of United Nations Security Council resolutions and OSCE principles and commitments. Implementation of this agreement in good faith will ensure peace in the region. In this regard, we fully share the assessment of the President of Russia V. Putin that the refusal of Armenia to implement the terms of this agreement would be huge mistake and tantamount to a "suicide" for this country.

We would like to thank all delegations, which welcomed and supported the agreement and its swift implementation. It is absolute imperative to communicate clear public messages to Armenia and Azerbaijan aimed at backing their efforts to maintain a ceasefire and cessation of all hostilities, withdraw the troops from the remaining occupied territories of Azerbaijan within the agreed deadlines, remove the obstacles to regional communication and transportation links, return the displaced population to their homes of origin and gradually normalize their relations. These steps will ensure peace and stability in the region and will ensure the peaceful coexistence of the Azerbaijani and Armenian communities of the Nagorno-Karabakh region of Azerbaijan fully enjoying all human rights and fundamental freedoms on an equal and non-discriminatory basis in accordance with the Constitution and legislation of Azerbaijan.

We reiterate that responsible and credible mediation requires, *inter alia*, national ownership, the consent of the parties to the conflict, respect for national sovereignty, the impartiality of the mediators, their compliance with agreed mandates and obligations under international law. The co-chairing countries have no authority to impose on the sides to the conflict their views or to force through old ideas and proposals, which do not enjoy consensus of the sides. At this critical juncture we reject attempts to downplay the importance of this agreement, to revise it or to undermine its implementation due to some geopolitical considerations. Azerbaijan calls on the Governments of France, the United States, the Member States of the European Union and aligned countries and other OSCE participating States to engage with their domestic constituencies in order to support implementation of this agreement in its entirety and contribute to building confidence and trust they have been calling for many years. The South Caucasus region had suffered from conflicts and instability for way too long. What we need now is collective efforts to build long overdue peace and stability. This is the moment of truth for OSCE and its Minsk Group if it can play any meaningful role in conflict resolution in line with its comprehensive concept of security.

The delegation of Azerbaijan has initiated discussions on the evaluation of the OSCE 2021 Unified Budget proposal for the OSCE structures dealing with the Armenia-Azerbaijan conflict long before the recent war. It was our view then and even more so now that the failure of OSCE to resolve the Armenia-Azerbaijan conflict requires review and an in-depth evaluation of the programmatic activity of the Minsk process, the High-Level Planning Group and the Personal Representative of the Chairperson-in-Office. In the situation when the status quo has changed and agreement between Armenia and Azerbaijan has been reached on the cessation of the armed conflict the absolute priority for the OSCE and its participating States, including Co-Chairs of the Minsk Group should be swift implementation in good faith of the trilateral agreement. Any future role of the OSCE and its participating States in sustaining peace depends on the support to the implementation of this agreement in its entirety as well as their respective contribution to building just and durable peace in the region.

And finally, our delegation sees no point in responding to hackneyed allegations of the Armenian delegation to the OSCE. The Armenian delegation should abandon its obsolete conflict narrative full of falsifications, distortions and misinterpretations, and follow their Prime Minister in accepting and reconciling with new realities on the ground and implementing the obligations under the 9 November agreement, which is imperative for a sustainable ceasefire and peace.

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

Thank you, Mr. Chairperson.

1290th Plenary Meeting

PC Journal No. 1290, Agenda item 6(c)

STATEMENT BY THE DELEGATION OF ARMENIA

Mr. Chairperson,

On 9 November 2020, Prime Minister of Armenia Nikol Pashinyan joined President of Azerbaijan Ilham Aliyev and President of the Russian Federation Vladimir Putin in signing the trilateral statement announcing a complete cessation of fire and all hostilities in the Nagorno-Karabakh conflict zone, thus putting an end to the unprecedentedly large-scale aggression launched by Azerbaijan against Artsakh and Armenia with the direct support and full involvement of Turkey and foreign terrorist fighters and jihadists. It is now an established fact that, along with military, political and information support, Turkey actively recruited foreign terrorist and jihadist fighters from the Middle East and transferred them to the Nagorno-Karabakh conflict zone to support Azerbaijan's planned aggression against Artsakh. It should be recalled that the recruitment, use, financing and training of foreign terrorist fighters and mercenaries is prohibited by numerous international documents that are binding for Azerbaijan and Turkey as for other countries. We are also concerned by and have drawn the attention of the Permanent Council to the fact that, according to information from open sources, terrorist fighters from Syria still remain in Azerbaijan. Moreover, there are reports that more mercenaries and terrorists will be sent to the region.

As we have repeatedly noted at meetings of the Permanent Council since 27 September, Azerbaijan's full-scale and pre-planned military aggression has been accompanied by numerous gross violations of the laws and customs applicable in armed conflict and by war crimes including deliberate targeting of civilian population and critical infrastructure, brutal murders of prisoners of war and civilian captives, beheadings, mutilation of dead bodies and other crimes.

During its aggression against Artsakh, Azerbaijan caused enormous damage to civilian settlements and infrastructure of Artsakh. Moreover, the Azerbaijani armed forces' use of banned munitions such as cluster and white phosphorus munitions against civilian targets has been confirmed by a number of reputable international organizations. All these crimes, which have been well documented and recorded by relevant authorities, must be promptly and thoroughly investigated by relevant international structures, and all those responsible for war crimes and crimes against humanity must be punished in accordance with existing international law.

1 Includes a correction to the text of the annex.

At the last meeting of the Permanent Council we informed participating States about the imminent threat of the destruction of Armenian cultural and religious heritage and erasure of all traces of Armenian presence in the territories of Artsakh currently controlled by Azerbaijan. A huge number of Armenian cultural and religious monuments are now under the control of the Azerbaijani armed forces and their terrorist affiliates, and there is already ample evidence, including images, which show the acts of desecration and vandalism against Armenian monuments.

According to current estimates, more than four thousand Armenian cultural heritage sites are under risk of vandalism, appropriation, conversion or destruction. While the President of Azerbaijan pledges to protect the Armenian cultural heritage, the armed forces of Azerbaijan have been carrying out disrespectful acts towards monuments and shrines and desecrating and vandalizing churches, including the Church of the Holy Saviour (Ghazanchetsots Cathedral) in Shushi, the very same church which according to President Aliyev was hit twice by mistake within a couple of hours.

There is also the example of Dadivank, an ancient Armenian monastery dating back to the ninth century, which according to the acting Minister of Culture of Azerbaijan is anything but Armenian. Unfortunately, Azerbaijan's track record in this regard is very poor and leaves no or very little room for optimism. The medieval Armenian cemetery in Jugha (Nakhijevan) is a vivid example both of the barbarism of the Azerbaijani authorities and the inaction and indifference of the relevant international organizations. On this matter, it is important to understand that these monuments are valuable not only from the point of view of Armenian history and culture but are also part of the world's cultural heritage. Hence, their protection and preservation is a test for whole of mankind and a concrete task for the relevant international organizations, including the OSCE. Failure to protect them will be a collective one.

The Ministerial Council draft declaration on addressing intolerance and discrimination presently under discussion could become the first touchstone in this regard and a testimony to our determination to protect and preserve, *inter alia*, the cultural heritage of other peoples. However, we all know how things work at the OSCE and should have no illusions about this. Therefore, we will seek more effective and efficient solutions to this end.

We also wish to recall the United Nations Security Council resolution 2347 (2017) on protection of cultural heritage, which particularly emphasizes that the unlawful destruction of cultural heritage and the attempt to deny historical roots and cultural diversity can fuel and exacerbate conflict and hamper post-conflict reconciliation.

Mr. Chairperson,

Even after the trilateral statement on the cessation of hostilities, some open sources are reporting the continuation of recruitment of foreign terrorist fighters from Syria and Libya and their transfer to Azerbaijan. The real intention is still unclear.

Against this backdrop, the Turkish-Azerbaijani alliance continues to reject the undeniable facts of the involvement of terrorist fighters and jihadists. Furthermore, while on the one hand Turkey and Azerbaijan claim that evidence on involvement of foreign terrorist

fighters and jihadists is “fake news”, on the other hand they desperately try to somehow balance out the international reaction to the use of terrorists and jihadists by attributing similar deeds to Armenia.

In particular, several days ago the Azerbaijani delegation distributed a so-called report on the use of foreign terrorist fighters by Armenia. The irony is that all persons presented in the report are either Armenian citizens residing abroad, or volunteers, or representatives of national minorities of Armenia.

The drafters of the report gave no consideration to the fact that dual citizenship has been allowed in Armenia since 2007, and the majority of Armenians in the diaspora are also citizens of Armenia with all the associated rights and obligations. This failure to grasp the whole picture is not surprising, since while Armenians come back from all over the world to defend their homeland against terrorists and their supporters, Azerbaijan had to pay to foreign terrorist fighters to fight its battles.

Mr. Chairperson,

Regardless of Turkey’s denials, its role in instigating the aggression against Artsakh and its direct involvement – both in political and military terms and in the recruitment of foreign terrorist fighters and jihadists – is indisputable. Turkey tirelessly attacks everyone who dares to raise this issue and to express concern. This was the case when the European Court of Human Rights adopted an interim measure against Turkey during the war. This was also the case when the United Nations Working Group on the use of mercenaries said that the Government of Azerbaijan, with Turkey’s assistance, relied on Syrian fighters to shore-up and sustain its military operations in the Nagorno-Karabakh conflict zone.

Turkey positions itself as an ardent fighter against terrorism, but at the same time provides a safe haven for various terrorist groups and instrumentalizes foreign terrorist fighters and jihadist groups; pretends to be concerned by illegal migration and at the same time exploits migrants for political purposes; speaks of territorial integrity and invades the territories of neighbouring States; speaks about zero problems with neighbours and at the same time creates problems with all of them; speaks of illegal trafficking of natural resources while actively engaging in such activities; and, last but not least, portrays itself as a country that combats crimes against humanity while at the same time denying the Armenian Genocide.

In the case of the Nagorno-Karabakh conflict, Turkey’s tactic has been the same. While speaking about supporting a peaceful resolution of the conflict, Turkey was in fact instigating Azerbaijan to war. The Turkish Ambassador has been preaching here about some “state of mind” and blaming Armenia for creating problems and conflicts. At the same time as accusing Armenia of “perpetuating its well-known narrative”, he has refused to address or even acknowledge Armenia’s well-justified security concerns.

Quite apart from its political support, Turkey’s involvement in aggression has been more direct, also in terms of its military presence on the ground and its command and control of all operations, from planning to execution.

Recently, open sources have provided credible reports of the involvement of high-ranking Turkish military personnel in the military operations of Azerbaijan. Thus, according to the report, a group headed by Major General Bakhtiyar Ersay, Chief of the Operations Directorate of the Ground Forces of Turkey, was directly involved in organizing the military operations against Artsakh. Ersay was stationed in Baku and personally supervised the Azerbaijani General Staff and the whole operation against Artsakh.

Lieutenant General Seref Ongay, Commander of the 3rd Field Army of the Ground Forces of Turkey, also took part in planning and conducting the operations. Ongay and several other Turkish generals planned joint Turkish-Azerbaijani offensive operations.

Another high-ranking Turkish officer who led the operation against Artsakh is Major General Heksel Kahya, head of the 1st Supply and Maintenance Center of the Turkish Air Force. He has been in Azerbaijan since July and during the aggression was responsible for all flights of the Bayraktar TB2 unmanned combat aerial vehicles. All operational intelligence information obtained with the unmanned aerial vehicles (UAVs) under his control was relayed to the command in Turkey.

The overall number of Turkish military personnel stationed in Azerbaijan amounted to 600 troops, comprised of a tactical unit of 200 troops and 50 commanders stationed in Nakhijevan, 90 military advisers in Azerbaijan's capital Baku, a 120-strong flight-tactical team at the Gabala airbase, as well as 20 UAV operators at Dallyar airport, 50 commanders at Yevlakh airport, 50 commanders in the 4th Army Corps and 20 officers at the Naval Base and the Military Institute of Baku. In addition, in the second half of October, after several failures on the battlefield, a 1,200-strong Turkish special forces brigade, specialized in the conduct of combat fighting in mountainous terrain, was sent to Azerbaijan.

Mr. Chairperson,

Given the direct participation of Turkey in Azerbaijan's aggression against Artsakh and Armenia, and the transfer of Turkish-backed foreign terrorist fighters and jihadists to the South Caucasus, Armenia no longer considers Turkey as a legitimate and equal member of the OSCE Minsk Group.

Turkey cannot and should not play any role in the resolution of the Nagorno-Karabakh conflict because by its actions it hinders any progress in the settlement process. We call on participating States to continue to put pressure on Turkey to withdraw its military personnel and weapons from the South Caucasus, along with the affiliated terrorist and jihadist groups, and to abandon its aggressive and destabilizing policy.

We regret the stance of Turkey, which could have played a more constructive and responsible role in the region, aimed at creating an environment for peace and prosperity for all the peoples of the region without distinction. Instead, the Turkish Government chose the path of denialism, confrontation and intimidation, which further fuels tensions and conflicts in the South Caucasus and beyond.

I thank you.



1290th Plenary Meeting

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STATEMENT BY THE DELEGATION OF AZERBAIJAN

Mr. Chairperson,

The delegation of Azerbaijan would like to update the Permanent Council on the situation in the de-occupied territories of Azerbaijan following the signing of trilateral agreement of 9 November between Armenia, Azerbaijan and Russia.

Under that agreement, Armenia pledged to withdraw its troops from the remaining occupied Aghdam, Kalbajar and Lachyn districts of Azerbaijan within a specific timetable by 1 December. This would significantly decrease tensions on the ground and would allow to start with assessment and planning of the reconstruction and rehabilitation activities in these territories.

In the meantime, Azerbaijan is deeply concerned over reports of numerous acts of vandalism perpetrated by the evacuating Armenians, who were unlawfully resettled in the occupied Kalbajar district and other occupied territories of Azerbaijan over the course of the last three decades. According to the reports, including from the Armenian media sources, the Armenian settlers are burning residential buildings and houses, schools and other civilian infrastructure. They sever electricity cables and poles, destroy gas stations and cut down trees before leaving the area, thus committing acts of ecological terror. We would like to demonstrate some photo and video materials of these deplorable and unacceptable actions (Exhibit 1, 2).

We deplore these deliberate acts of vandalism aimed at inflicting as much damage as possible to the civilian infrastructure and environment of the Kalbajar district and other territories of Azerbaijan and urge Armenia to put an end to these unlawful and disgraceful practices. Unlike Armenians, when Azerbaijani population was forced to leave these territories in 1993 by the invading Armenian forces, they left their properties intact taking with them only the keys, hoping one day to be able to return to their homes.

It is equally disturbing that Armenia is hastily removing cultural property, including archaeological artefacts from these territories (Exhibit 3). Any form of theft, pillage, or misappropriation of, illicit export, other removal or transfer of ownership of cultural property and any acts of vandalism directed against cultural property is prohibited under the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and

its Second Protocol. Armenia must put an end to this theft of Azerbaijan's cultural heritage, which has an obvious intention to conceal or destroy cultural and historical evidence.

After the signing of 9 November agreement Armenia continued to employ a broad misinformation campaign against Azerbaijan, also in the context of cultural heritage and religious monuments in the occupied territories, with a view to cast a shadow on Azerbaijan's handling of its diverse cultural and religious heritage. The alleged desecration of Ghazanchetsots Cathedral located in the recently de-occupied Shusha city of Azerbaijan should be viewed through this lens.

In this regard, let us remind that being a truly multicultural and multi-confessional society Azerbaijan has for centuries been guarding and protecting diverse cultural and religious heritage and places of worship located on its territory, including Christian churches (Exhibit 4, 5). These are part and parcel of Azerbaijan's multinational make-up and its history, and embody the values of diversity, multiculturalism, tolerance and dialogue that our society champions and stands for. Thus, there should be no doubt that Azerbaijan will continue safeguarding these values and protecting, without exception, all cultural and religious heritage in its territory, including in the recently de-occupied territories and territories pending the withdrawal of Armenian armed forces. All cases of damage inflicted upon cultural and religious heritage in the course of the recent hostilities will be thoroughly investigated.

Speaking of misinformation campaign deployed by Armenia, we would like to draw the attention of the Permanent Council to the most recent statement by Movses Akopyan, former head of the military control service of Armenia. He admitted that Armenia has been intentionally spreading lies, which constituted 100 per cent of information communicated by Armenian leadership to its people in the course of 44 days of war, and that this plunged the country into a deep crisis.

Broad misinformation campaign is also employed by Armenia in the context of cultural heritage. We would like to inform the Permanent Council about a blatant attempt of forgery of cultural heritage by Armenia in the territories of Azerbaijan. Thus, Armenia engaged in massive production of khachkars, Armenian cross-stones, in a workshop in Kalbajar district of Azerbaijan, in order to misrepresent them as "ancient" artefacts testifying to Armenian cultural heritage of the region. These khachkars were oxidized and greased with vinegar, so that they appear old, and then buried, so that they could be "discovered" later as "undeniable" proof of Armenian centuries-long presence in the region. You can see some photos of this on the screen (Exhibit 6).

We would like to further update the Permanent Council on the situation in Zangilan, Gubadli, Jabrayil and Fuzuli districts of Azerbaijan, which were recently de-occupied in the course of counter-offensive conducted by the armed forces of Azerbaijan. We will put on the screen the most recent photo and video footage from some of these regions, so that you could see and consider the extent of destruction and devastation inflicted by Armenia upon these territories of Azerbaijan in the last nearly 30 years of illegal occupation (Exhibit 7, 8, 9, 10, 11, 12, 13). Most parts of these territories have literally been turned into a ghost land, as all civilian infrastructure and private houses that existed here before the Armenian occupation were razed to the ground. The level of looting is unprecedented and has not been registered in any previous war, including First World War or Second World War. Armenian occupying

forces have not spared environment, massively cutting trees and destroying all green areas, which constitute clear cases of environmental crimes and should be investigated and condemned by appropriate international organizations and international community at large, particularly by those who are genuine and consistent in their fight against climate change (Exhibit 14).

Through the videos and images that will follow now on your screens we also would like to demonstrate the cases of destruction and desecration of Azerbaijani cultural and religious monuments in the aforementioned regions of Azerbaijan (Exhibit 15, 16). Here are the images and video of an old mosque in de-occupied Gubadli district of Azerbaijan which was desecrated and transformed into a pigsty (Exhibit 17, 18).

Furthermore, Armenia has deliberately mined majority of cemeteries in the de-occupied territories of Azerbaijan. It also became known that Armenia has mined the Azykh cave – a habitation site of prehistoric humans – located on the territory of Khojavand district of Azerbaijan, parts of which were recently de-occupied. According to the assessment by Azerbaijan National Agency for Mine Action (ANAMA), it will take between ten and 13 years to clear de-occupied territories of Azerbaijan from all mines and munitions.

It is plausible that after three decades of consistent efforts of Azerbaijan to draw the attention of the international community, including the OSCE Minsk Group Co-Chair countries to the purposeful destruction of cultural and religious heritage of Azerbaijan in the occupied territories in violation of international humanitarian law, we have finally recently heard calls to preserve and to protect the cultural and religious sites. As Azerbaijan restores sovereignty over its territories it will protect all cultural property on its territory and provide for respect to all spiritual shrines and places of worship in line with its legislation as well as the relevant international instruments.

To conclude, the primary objective of the peace process pursued within the OSCE Minsk Group had been elimination of the major consequences of the conflict, thus ensuring immediate, complete and unconditional withdrawal of the Armenia's armed forces from the occupied territories of Azerbaijan and restoring the sovereignty and territorial integrity of Azerbaijan, as well as ensuring the return of the internally displaced persons (IDPs) and refugees to their homes and opening up of economic and transport links in the region. All these provisions are reflected in the 9 November agreement and thus, should be closely followed and supported by the OSCE Minsk Group and its co-chairing countries. Any future role of the OSCE and its participating States in building peace in the region depends on the support to the implementation of these provisions as well as on their respective contribution to establishing just and durable peace in the region.

Thank you, Mr. Chairperson.