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DELEGATION OF THE REPUBLIC OF ARMENIA
ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

Statement

in response to the Co-Chairmen of the OSCE Minsk Group, the Personal Representative of the OSCE Chairperson-in-Office, and the Head of the High Level Planning Group

delivered by Ambassador Arman Kirakossian at the 1076th Meeting of the OSCE Permanent Council

November 12, 2015

Mr. Chairman,

We would like to warmly welcome the Co-Chairmen of the OSCE Minsk Group Ambassadors Igor Popov, Pierre Andrieu and James Warlick, the Personal Representative of the OSCE Chairperson-in-Office, Ambassador Andrzej Kasprzyk and the Head of the HLPG, Colonel Markus Widmer to the Permanent Council and thank them for their comprehensive reports.

We reiterate our support for the agreed format of the Minsk group Co-chairmanship and our commitment to the peaceful resolution of the NK conflict. Needless to say that successful peaceful settlement requires cessation of all hostilities on the ground, creation of the conditions conducive for negotiations, through unconditional adherence to the 1994 trilateral ceasefire agreement and the 1995 agreement on the consolidation of the cease-fire regime.

Regrettably, like last year, we receive the Co-Chairs at the Permanent Council meeting amid highly volatile situation on the Line of Contact between Nagorno-Karabakh and Azerbaijan and the Armenia-Azerbaijan state border.

During recent escalation Azerbaijan has introduced new alarming trends, namely use of 120 mm. mortars, 107 mm. rocket launchers and D-30 howitzers, deliberate targeting of settlements, which resulted in high numbers of civilian casualties and indiscriminate shelling of military infrastructure far from the Line of Contact.

Obviously, in an attempt to divert attention from the outrageous human rights situation and the growing criticism, Baku has been escalating the situation with considerable unforeseen negative consequences. With this provocations Baku demonstrates its disregard both to the human life, to its own commitments and the appeals of the Co-chairs.

Unfortunately, the Azerbaijani side has developed a destructive practice of escalating the situation especially ahead of important visits to the region and high level meetings, thus trying to undermine those meetings and to impede the negotiation process. It adhered to this notorious practice before the meetings in New York in the margins of the UN GA last September. The same happened during the last visit of the Co-chairs to the region. But this time Azerbaijan resorted to a violation just at a time when the Co-chairs were crossing the LoC in a clear defiance to the Co-chair's efforts. That incident took place days after the Co-chairs directly called upon Azerbaijan to agree to the creation of the mechanism of investigation of cease-fire violations.

Whenever the Co-chairs address the violation of the cease-fire regime they limit themselves to generic calls to all parties to the conflict to exercise restraint. However, as the practice has shown, putting the blame equally on all sides of the conflict has hardly borne fruits. Azerbaijan continues to violate the cease-fire with the conviction that its irresponsible behavior would not be internationally directly criticized or condemned, but would be shared with other parties to the conflict.

The Co-chairs have years ago come up with the idea on creation of the mechanism of investigation of the cease-fire violations, which could effectively contribute to military restraint, save innocent lives, and become a mechanism of prevention. In their September 26 statement the Co-chairs once again urged Azerbaijan to agree to create the mechanism. However, Azerbaijan continuously rejects numerous proposals on CSBMs, while Armenia and Nagorno-Karabakh have welcomed those proposals. Hence, obviously the whole responsibility for the violations and escalation falls on Azerbaijan.

Mr. Chairman,

The attempts to downgrade the Office of the Personal Representative of the Chairman in Office in Nagorno-Karabakh conflict zone is another vivid example of Baku's such policy. The OSCE permanent presence in Nagorno-Karabakh through PR CiO is an asset of this Organization. It provides opportunity to the international community to assess real situation on the ground, assists the Co-Chairs, promotes CSBMs and serves as restraining factor for outbreak of new hostilities. Any efforts directed at diminishing or harming its activities can be detrimental for the peace process, the OSCE role in the conflict resolution and may adversely affect the situation on the ground. Therefore, Armenia will do everything to keep that presence going unabated, as we believe that any change in this regard should be directed solely to the reinforcement of the office, increasing the number of monitors, strengthening their resources and technical means.

Another evidence of Azerbaijan's defiance to the peace process within the efforts of the Minsk Group Co-chairs is Baku's indefatigable efforts to move the issues related to the Nagorno-Karabakh conflict resolution to different international

formats. The last such an attempt to disrupt the peace process was the introduction of the draft report and draft resolution in PACE.

Mr. Chairman,

With regard to the exchange of information on missing persons through the International Committee of Red Cross we would like to stress that this is a purely humanitarian action and as the representatives of the Red Cross have reiterated on numerous occasions it could not be considered as CBM. It emanates from the humanitarian obligations of all sides involved in the conflict and should not be politicized. It is not a new project since the exchange of such data has been a part of the long standing activities of the ICRC in the region, including through commissions in Stepanakert, Yerevan and Baku. Moreover, the regular meetings of the Yerevan and Baku commissions had taken place up to 2006 and were stopped due to the refusal of Azerbaijan to meet. We believe that the restoration of the practice of such meetings will be an important contribution to the activities aimed at exchanging the data. We would also like to take this opportunity to express our concern regarding the refusal of Azerbaijan to provide access for ICRC to the Armenian hostages, including civilians. In a number of cases those hostages were found dead in the Azerbaijani custody. On other occasions they were proved to be tortured and humiliated, including in front of the TV cameras. These are the evidences of the gross violation of the humanitarian law by Azerbaijan. It is also concerning that the data on missing persons received from the Azerbaijani side has been incomplete, misleading and evasive. We encourage the ICRC to use its good offices to address these issues.

Mr. Chairman,

The Delegation of Armenia took note of the report of the distinguished colonel Markus Widmer. We encourage the HLPG to continue its activities strictly following its mandate.

As this is the last appearance of Colonel Widmer in his current capacity at the Permanent Council, we would like to thank him for guiding the Group in last two years and wish him all the success in his future endeavors. We welcome his successor, Colonel Hans Lampalzer.

In conclusion I would like to thank the Co-Chairs and the Personal Representative for their efforts. We hope that the upcoming high-level meeting will bring us closer to peaceful resolution of the conflict.

Thank You.

Right of Reply

Mr. Chairman,

The people of Nagorno-Karabakh is de-facto independent since dissolution of the Soviet Union, when it exercised its right for self-determination according to the state legislation and international law. Therefore claims of Azerbaijan to exercise sovereignty over the people of Nagorno-Karabakh are baseless. Should the human rights of people of Nagorno-Karabakh including right to freedom of movement, right to vote and finally right to self-determination be respected, then our region can move towards greater prosperity and respect of human rights in general.

We firmly believe that settlement of the conflict is possible only through full upholding of human rights and fundamental freedoms of the people of Nagorno-Karabakh. The aggressive power politics of Azerbaijan is outdated and does not belong to 21st century.

Military provocations are combined by the demands to withdraw the NK Defence Army from the current military positions. In doing so, the Azerbaijani side aims to get better starting positions for restoring large-scale hostilities. In this regard, we wish to recall that the NK Defence Army created security zone around Nagorno-Karabakh to protect the civilian population from constant indiscriminate shelling. Criminal provocations of Baku and its non-compliance with the Geneva conventions on international humanitarian law leave no doubt that it wishes to shift the positions of its armed forces to have the towns and villiages of Nagorno-Karabakh in the operating range of its heavy artillery.

On UN SC Resolutions: When it comes to the UN SC resolutions referred here by the Ambassador of Azerbaijan, it should be mentioned that they were adopted during the military phase of the conflict and did not lead to immediate cease of hostilities due to the position of Azerbaijan, which like now, made continuous attempts to impose forceful solution of the issue. Today after 20 years of ceasefire Azerbaijan refers to single element of resolutions by downplaying all others such as lift of blockade or neglecting parties of the conflict referred in the resolutions. All the UN SC Resolutions have clearly recognized Nagorno-Karabakh as a party to the conflict. If Azerbaijan is willing to implement the UN SC resolutions it should first and foremost reach authorities of Nagorno-Karabakh in achieving progress on the conflict resolution.

On IDPs: Massacres and ethnic cleansing of Armenian population in Azerbaijan followed by the military aggression of Azerbaijan against people of Nagorno-Karabakh was one of the root causes of the conflict. In 1990s Armenia received more one 400 thousand refugees and IDPs. In the proportion of its original population Armenia had more displaced population than Azerbaijan. Yet Armenia did not build refugee camps and opted for local integration, which has been only possible durable solution. Yet Azerbaijan did everything to sustain and even augment the

declared number of displaced population at the expense of realization of human rights of the displaced population.

Azerbaijan is the only OSCE participating State, which hinders humanitarian access of the UNHCR and UN special procedures to Nagorno-Karabakh, where, according to the UN Special Rapporteur on IDPs of the year 2008 30 thousand Armenian IDPs are residing. Azerbaijan does not offer any policy of return or compensation to more than 400 000 Armenian refugees. By doing so, Azerbaijan clearly violates the OSCE commitments.

Finally, we would just like to remind the delegation of Azerbaijan, that return of both Armenian, NK, and Azerbaijani refugees and IDPs is one of the elements of the Basic principles of peaceful settlement of the NK conflict, which Azerbaijan effectively rejects.

Thank You.