

Chairmanship: Serbia

1038th PLENARY MEETING OF THE COUNCIL

1. Date: Thursday, 5 February 2015

Opened: 10.10 a.m.
Suspended: 1 p.m.
Resumed: 3.45 p.m.
Closed: 5.10 p.m.

2. Chairperson: Ambassador V. Žugić
Mr. M. Pančeski

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

Agenda item 1: REPORT BY THE CHIEF MONITOR OF THE OSCE
SPECIAL MONITORING MISSION TO UKRAINE

Chairperson, Chief Monitor of the OSCE Special Monitoring Mission to Ukraine (PC.FR/6/15 OSCE+), Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association country Liechtenstein, member of the European Economic Area; as well as Andorra, Georgia, Moldova, San Marino and Ukraine, in alignment) (PC.DEL/123/15), United States of America (PC.DEL/122/15), Russian Federation (PC.DEL/137/15), Canada (PC.DEL/143/15 OSCE+), Switzerland, Turkey (PC.DEL/131/15 OSCE+), Norway, Belarus (PC.DEL/120/15 OSCE+), Ukraine (PC.DEL/136/15 OSCE+)

Agenda item 2: REVIEW OF CURRENT ISSUES

(a) *Ongoing aggression against Ukraine and violations of OSCE principles and commitments by the Russian Federation:* Ukraine (PC.DEL/134/15 OSCE+), Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries

Liechtenstein and Norway, members of the European Economic Area; as well as Georgia, Moldova and Ukraine, in alignment) (PC.DEL/125/15), United States of America (PC.DEL/129/15), Canada (PC.DEL/144/15 OSCE+), Switzerland

- (b) *Situation in Ukraine and the need for urgent steps to implement the Minsk agreements*: Russian Federation (PC.DEL/139/15), Ukraine, United Kingdom, United States of America, France, Germany
- (c) *Illegal arrest of the Deputy Chairman of the Crimean Tatar Mejlis and growing violations of human rights by the occupying authorities in the Autonomous Republic of Crimea and the city of Sevastapol*: Ukraine (PC.DEL/135/15 OSCE+), Turkey (PC.DEL/132/15 OSCE+), United States of America (PC.DEL/121/15), Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Liechtenstein and Norway, members of the European Economic Area; as well as Georgia, Moldova, San Marino and Ukraine, in alignment) (PC.DEL/126/15), Canada (PC.DEL/142/15 OSCE+), Russian Federation (PC.DEL/140/15)
- (d) *The death penalty in the United States of America*: Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; as well as Moldova and San Marino, in alignment) (PC.DEL/124/15), Switzerland (also on behalf of Iceland and Liechtenstein), Norway, United States of America
- (e) *Follow-up to the Committee Study of the Central Intelligence Agency's Detention and Interrogation Program, published by the U.S. Senate Select Committee on Intelligence on 9 December 2014*: Russian Federation (PC.DEL/138/15), Germany, United Kingdom, Poland, Romania, Lithuania
- (f) *Recent Islamophobic incidents in the OSCE area*: Azerbaijan (PC.DEL/128/15 OSCE+), Turkey (PC.DEL/133/15 OSCE+), France, Russian Federation, Norway
- (g) *Abduction of Azerbaijani civilians by Armenia*: Azerbaijan (Annex 1), Armenia (Annex 2)

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

- (a) *Meeting of the OSCE Ministerial Troika on the margins of the Munich Security Conference, to be held on 7 February 2015*: Chairperson
- (b) *Press release issued by the Chairperson-in-Office on 3 February 2015 on establishing a local temporary truce in and around Debaltseve, Ukraine*: Chairperson

Agenda item 4: REPORT OF THE SECRETARY GENERAL

- (a) *Announcement of the distribution of a written report of the Secretary General: Secretary General (SEC.GAL/24/15 OSCE+)*
- (b) *Extension of the vacancy notice for the post of Director of the Border Management Staff College at the OSCE Office in Tajikistan: Secretary General*

Agenda item 5: ANY OTHER BUSINESS

- (a) *Visit by the representatives of the OSCE Parliamentary Assembly to the Guantánamo Bay detention facility on 27 January 2015: United States of America (PC.DEL/130/15)*
- (b) *Presidential elections in Uzbekistan, to be held on 29 March 2015: Uzbekistan*

4. Next meeting:

Thursday, 12 February 2015, at 10 a.m., in the Neuer Saal



1038th Plenary Meeting

PC Journal No. 1038, Agenda item 2(g)

STATEMENT BY THE DELEGATION OF AZERBAIJAN

Mr. Chairperson,

The delegation of the Republic of Azerbaijan remains deeply concerned at the continued violations of the human rights of the Azerbaijani civilians Mr. Dilgam Askerov and Mr. Shahbaz Guliyev, who have been illegally captured by Armenia in the occupied territories of the Republic of Azerbaijan by Armenia. That these persons are being subjected to torture and degrading treatment by the occupying forces is evident from the latest photos released by the Armenian mass media. The media reports state that the occupying forces have invited Georgian doctors to visit the hostages in view of their deteriorating state of health.

As has previously been stated by our delegation, these persons, who attempted to visit graves of their relatives in their native homeland, were taken hostage by the occupying forces in the Kelbajar region of Azerbaijan in July 2014. Armenia has made a notorious attempt to use the captured persons to propagate the illegal regime established on the occupied territories, fabricating ridiculous claims against them and also setting up a so-called “court” to try the hostages.

The Azerbaijani side once again reminds the Armenian side of its obligation under international humanitarian law to respect the rights of civilians during armed conflicts. Once again we wish to reiterate that taking hostages is prohibited under international humanitarian law, as are torture and other forms of cruel, inhumane and other degrading treatment of the civilian population of the territories under occupation.

The illegal capture of the Azerbaijani civilians once again testifies to Armenia’s notorious practice of ethnic intolerance, which has already been manifest in the unprecedented ethnic cleansing carried out against the Azerbaijani population of Armenia and of the occupied Azerbaijani territories, as a result of which not a single Azerbaijani was left in either Armenia or the occupied territories. For the sake of comparison, I wish to underline that in all protracted conflict zones in the OSCE area the indigenous people are to some extent allowed to live in or return to their homeland, as was also the case even under Nazi occupation. The Republic of Armenia, however, continues to demonstrate intolerance of Azerbaijanis wishing to visit their homes. This illustrates the true essence of its policy, which is based on ethnic discrimination.

Mr. Chairperson,

This is the third time that the delegation of Azerbaijan has expressed concern on this issue. We regret that we have not seen any representatives of OSCE structures or OSCE participating States taking any action or making any condemnation of the Armenian violations of human rights. We therefore strongly urge the OSCE participating States to take the necessary measures to persuade the Armenian side to immediately release the abducted and illegally captured Azerbaijanis, especially in view of their deteriorating state of health.

I ask this statement to be duly registered in the journal of the day.

Thank you, Mr. Chairperson.



1038th Plenary Meeting

PC Journal No. 1038, Agenda item 2(g)

STATEMENT BY THE DELEGATION OF ARMENIA

Mr. Chairperson,

We have taken note of the statement of the Azerbaijani delegation. In the spirit of constructive dialogue my delegation is ready to bring this statement to the attention of the Nagorno-Karabakh authorities.

We would like once again to draw the attention of the participating States to Note Verbale 04/1527/2014 of the Ministry of Foreign Affairs of Nagorno-Karabakh and its Annex dated 10 October 2014, which provides a comprehensive response to the Azerbaijani side with regard to the Azerbaijani armed criminal group and the crimes committed by it on the territory of Nagorno-Karabakh.

According to the official information of the Nagorno-Karabakh authorities, the court sentenced Dilham Askerov to life imprisonment and Shahbaz Guliyev to 22 years in prison. In this connection, we would like to recall that these citizens of Azerbaijan were charged with the murder of the teenager Smbat Tsakanyan, the murder of Mr. Sarkis Abrahamyan, and assault upon Mrs. Karine Davtyan. The attempts to invoke international humanitarian law in the case of criminals call into question the competence of the Azerbaijani authorities on the letter and spirit of the Geneva Conventions.

Having said this, we wish to recall that at the Permanent Council meeting on 20 November 2014, in reply to an explicit question from the Armenian delegation on the application of international humanitarian law to parties involved in the Nagorno-Karabakh conflict asked in the context of the denial of access to the remains of the crew of a helicopter shot down by Azerbaijani armed forces, the Azerbaijani delegation failed to acknowledge the applicability of the Geneva Conventions.

Hence we call the Azerbaijani side to reconsider its stance of not recognizing its obligations under international humanitarian law in regard to the other parties of Nagorno-Karabakh conflict before invoking Geneva Conventions.

Finally, in order to avoid incidents of this kind in the future we would like to encourage the Azerbaijani side to put an end to illegal incursions of armed criminal groups and to engage in direct dialogue with the Nagorno-Karabakh authorities on measures for strengthening the ceasefire regime across the Line of Contact.

We request that the present statement of the Armenian delegation be attached to the journal of the day.

Thank you.