



Statement by the Delegation of the Republic of Azerbaijan
Roundtable Discussion on Mediation, Dialogue Facilitation and Mediation Support
18 March 2016

Mr. Moderator,

The Delegation of the Republic of Azerbaijan thanks the German OSCE Chairmanship for organizing this meeting on a very important topic related to the role of the OSCE in conflict resolution. We also thank today's guest speakers for their insightful presentations.

We fully concur with the Chairmanship that mediation and dialogue facilitation are at the heart of the OSCE's engagement across the conflict cycle. Indeed, the Organization remains to be the only international body mandated for the resolution of the conflicts in its area. But the fact that despite more than 20 years of negotiations, these conflicts remains unresolved is a strong reminder for all of us to pay renewed attention to what are the reasons behind the lack of solution to the conflicts. Secondly, we have to assess the extent of our failure to effectively utilize existing conflict resolution and post-conflict rehabilitation tools. In this context, we would like to share our assessment on effectiveness of mediation efforts in the settlement of the Armenia-Azerbaijan conflict.

Mandate of the Co-Chairmen of the OSCE Minsk Group is based on CSCE Budapest Summit document of 1994, which tasks them to conduct speedy negotiations for the conclusion of a political agreement on the cessation of the armed conflict, the implementation of which will eliminate major consequences of the conflict and permit the convening of the Minsk Conference. In Budapest the participating States have reconfirmed their commitment to the relevant Resolutions of the United Nations Security Council and underlined that the co-Chairmen should be guided in all their negotiating efforts by the OSCE principles and agreed mandate, and should be accountable to the Chairmanship and the Permanent Council.

Against this background, currently the OSCE and its Minsk Group have been side-stepped from the settlement process. Over the years, the role of the OSCE and its participating States, including those that are members of the Minsk Group has been limited to extending formal support to the activities of the Co-chairmen. It is equally intolerable to observe systematic attempts to change the conflict resolution process into conflict containment activities as reflected in artificial and out-of-mandate prioritization of tasks of the co-Chairmen to focus on prevention

of escalation rather than solution, and interference with the activities of other international organizations wishing to contribute to the settlement of the conflict. In parallel, we observe selective approaches by participating States and regional groupings to the principles with regard to the protracted conflicts in the OSCE area.

As a result, the Organization as such lost its control over the process. Such a lack of control over the activities of the Co-chairs led to negligence to inherent balance and inter-linkage between the principles of the Helsinki Final Act. The co-chairs openly equalized the principles of non-use of force against the territorial integrity of political independence of the States, territorial integrity and equal rights and self-determination of peoples, which they publicly present as a basis for a settlement. Misinterpretation is evident even in naming of these principles.

They claim that there is no hierarchy among these principles and these elements should be viewed and applied independently of each other. As a matter of fact, such a voluntary interpretation of the principles is in direct contradiction to the letter and spirit of the Helsinki Final Act, which in seven out of ten principles places strong emphasis on the necessity to respect for internationally recognized borders of states and their territorial integrity against any attempt of forceful acquisition of territories or change of borders, and application of self-determination. Such a deviation from the agreed character of the principles provided Armenia with a *card blanche* to justify its territorial claims against Azerbaijan, consolidate the status-quo and made the process of settlement dependent on whims of the Armenian side.

MG co-chairs openly claim that they have no responsibility for the solution of the conflict, parties need to demonstrate political willingness and to make necessary compromises. Co-chairs claim that they cannot exert pressure on the sides and can only provide their services in an effort to bridge the gap between the two conflicting parties.

As a result, they seem to be quite comfortable with prolonging their mediation efforts until one of the sides accepts their imaginative offers. In the meantime, Armenia enjoys the luxury of fully exploiting the remaining potential of the internationally recognized territories of Azerbaijan, which it continues to occupy. And the OSCE MG and participating States are satisfied with extending support to what cannot be called a process based on OSCE principles and commitments. This process is far away from OSCE principles and commitments.

The entire situation in the co-chairs led process impedes progress in the settlement of the conflict. What was started in the OSCE back in 1992 and what has been named as mediation effort by the OSCE Minsk Group nowadays turned into a process, which is being designed, defined and based solely on the wishes and creative approaches of the Co-Chairmen. Over last years, whatever initiative comes from the Azerbaijani side has been blocked by Armenia in the OSCE. Discussion of the conflict has been turned into a taboo within the OSCE, as a consequence suggestions for holding even informal discussions in the full format of the OSCE Minsk Group fails in face of resistance of the Armenian side.

This is the experience with mediation in the context of the Armenia-Azerbaijan conflict and if the OSCE MG is happy with such an imitation of a mediation process, Azerbaijan, as a side most-affected by the continued occupation of its territories has two options:

- 1) To continue tolerate this so-called process until remaining 80 percent of our territories are developed to such a level that will prompt re-integration of the currently occupied territories back into our political, legal, social and economic system This option would imply a long-term process with gradual increase of pressure on Armenia by Azerbaijan;
- 2) To revitalize the OSCE Minsk Group and intensify the efforts towards earliest solution of the conflict taking best advantage of contributions of those members of the Group that are able and willing to do so. This would be the best way to reinvigorate the OSCE's relevance in mediation efforts and create an environment in which the OSCE as an organization can play a meaningful role applying its existing tools.

The choice remains with Armenia, the OSCE participating States, members of the Minsk Group and the co-chairs.

Thank you, Mr. Moderator