



Statement by the Delegation of the Republic of Azerbaijan

1072nd Meeting of the Permanent Council,

22 October 2015

violation by the OSCE/ODIHR of its mandate

1st Right of Reply

Thank you madam Chairperson,

I took note of the statements and interventions made by the colleagues at the Council.

With regard to the statement made by the distinguished Ambassador representing Parliamentary Assembly of OSCE, I wish to respond that it is regretful that Parliamentary Assembly of OSCE is not participating and is out of the process of cooperation with Azerbaijan, while their colleague parliamentarians from other European institutions prefer to stay in cooperation. It is not Azerbaijan that has refused to cooperate. It is the OSCE PA that refused to participate in election observation. So the call is not for us, but Assembly has to call their representatives who refused to cooperate with Azerbaijan to restart and to re-launch the cooperation. We are fine even without the Parliamentary Assembly of OSCE, European Parliament and others who choose to decline our invitation.

Secondly, I think there was some reference to misunderstanding by the Azerbaijani colleagues here in Vienna. There is no misunderstanding. I personally met with Director Link here in Vienna on Friday and he promised us to thoroughly consider the ODIHR's deployment of experts on the eve and at the election day and this could be confirmed by his representative here. So misunderstanding emerged after he stepped back from the understanding reached with us on Friday and decided not to engage at this elections.

Lastly, I regret that Ambassador of the United States questions the validity of raising by Azerbaijan this issue. Because that is non-constructive, I believe. The Council is the formal body, but we still could raise questions and could name titles of those questions in the way our Delegation perceives it. It is not legitimate to regret of it, at least. I think one of the misunderstandings emerged is that we do not question the numbers of ODIHR; we question the validity of decision that Director Link had taken. That decision was taken in violation of the procedures established by the Summit Decision of the OSCE 1994. In cases of non implementation of commitments the head of States of OSCE envisaged specifically for the Director of ODIHR a process of consultations which he ignored and he took a decision on himself. That is a violation of the mandate. We leave aside the figures, the numbers, the methodology and restrictions and other things. We are raising the issue of violation of the mandate. I have been also informed that allegedly ODIHR consulted with the Chairmanship on this issue and we still have not received the response from the Chairmanship whether they were consulted by ODIHR on this issue prior to taking this decision.

Finally, we still believe that ODIHR has to deliver to the expectations of OSCE participating States. Until the requested assistance is provided we cannot cooperate based on mistrust and lack of credible behavior that we see now. We are now more and more assured where such decisions are coming from when we see that most Delegations that spoke before me still refer to the process of consultations held since March to August. I am raising the issue on the event that happened on September 11, when the Director Link adopted a decision to cancel election observation mission. I think that one of the problems is that Director Link still is thinking that he had adopted a right decision. No, there are provisions in his mandate, he did not utilize those provisions, he did not use the toolbox available here in the OSCE that is the consultations and bringing the matter to the Council. Because it is the Council who has delegated the authority and expertise to Mr. Link to take care of the election related issues, but we did not delegate an authority to him to make decision on our behalf. If there is a situation of lack of implementation of commitments the Heads of States stipulated that he has to refer the matter back to the Council and he did not do it and that is the violation of the mandate.

Thank you.

2nd Right of Reply

Thank you madam Chairperson,

I wanted to respond to the comment made by the distinguished Ambassador of the United States of America, specifically to the decision and opinion that he inferred of the Chairmanship, which is in full accord with the decision. I had an impression of his words that there was such a statement by the Chairmanship of the ODIHR Director decision. As far as Azerbaijani side is concerned with that we have a letter of the Chairman-in-Office directly addressed to us who remains sized with the situation emerged and the exact letter indicated that there is a window of opportunity for ODIHR to reengage. That is the second point he indicated in the letter. The third point, he has also offered its good offices to facilitate the matter. This is what the Chairmanship communicated in writing to the Azerbaijan side and I am not aware of the Chairmanship's strong support to the decision of Director Link.