Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 15840 – Compendium of written amendments
12/10/2023

(Final version)

Humanitarian situation in Nagorno-Karabakh

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A. Draft Resolution

1. Recalling Azerbaijan's "commitment to a peaceful settlement of the Nagorno-Karabakh conflict" as specified in Opinion 222 (2000), the Parliamentary Assembly strongly condemns the military operation launched by the Azerbaijani army in Nagorno-Karabakh on 19 September 2023. The Assembly recognises the territorial integrity of Azerbaijan. It underlines that this entails the responsibility of this country for the actions it takes within its internationally recognised borders.

Amendment 19
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft resolution, paragraph 1, first sentence, replace the words "strongly condemns the military operation launched by the Azerbaijani army in Nagorno-Karabakh", with the following words:

"regrets that despite the agreement reached in the Trilateral Statement of November 2020, the armed forces of Armenia were not withdrawn from the Karabakh region of Azerbaijan, and this source of constant threat led to the deadly escalation"

Amendment 5
Tabled by Mr Ruben RUBINYAN, Ms Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN, Ms Sona GHAZARYAN

In the draft resolution, paragraph 1, second and third sentences, replace the words "Azerbaijan. It underlines that this entails the responsibility of this country", with the following words:

"Azerbaijan, which in any case can certainly not be misinterpreted and used as a licence for a military operation leading to the mass exodus of Armenians from Nagorno-Karabakh. On the contrary, the Assembly underlines that this entails the responsibility of Azerbaijan"

2. The Assembly notes that this military operation took place after a ten-month period during which the Armenian population of this region has been denied free and safe access through the Lachin Corridor, the only road allowing it to reach Armenia and the rest of the world, leading to a situation of extremely acute food and supply shortages and high vulnerability of all inhabitants. This was in clear disregard of the provisional and interim measures addressed to Azerbaijan by the International Court of Justice and the European Court of Human Rights, whose decisions also noted the obligation of Azerbaijan under the 2020 Trilateral Statement to "guarantee the security of persons, vehicles and cargo moving along the Lachin Corridor in both directions".

Amendment 20
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft resolution, paragraph 2, first sentence, after the words "took place after", add the following words:

"a failure of diplomatic efforts to address the illegal military presence in the sovereign territory of Azerbaijan and"

Amendment 36
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI

In the draft resolution, paragraph 2, first sentence, replace the words "the only road

allowing it to reach Armenia and the rest of the world" with the following words:

"and a delay from using alternative routes, including the Aghdam road"

Amendment 6
Tabled by Mr Ruben RUBINYAN, Mr Armen GEVORGYAN , Mr Armen RUSTAMYAN, Ms Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN

In the draft resolution, at the end of paragraph 2, add the following sentence:

"In this context, the Assembly recalls the most recent decision of the European Court of Human Rights of 22 September 2023 to indicate interim measures under Rule 39 of its Rules in respect of Azerbaijan and urges Azerbaijan to implement them without further delay."

3. The Assembly deeply regrets that just at a time when the situation concerning the transport of the humanitarian supply to the population seemed to improve and a glimpse of hope was emerging, Azerbaijan took the decision to launch this show of force. Indeed, the combination of acute food and supply shortages for the population over a period of months, followed by a military operation and the opening of the corridor towards Armenia for departures, following each other in such short succession, could be perceived as being designed to incite the civilian population to leave the country.

Amendment 21
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI

In the draft resolution, paragraph 3, first sentence, after the words "was emerging,", add the following words:

"the situation escalated following the killing of Azerbaijani civilians and law enforcement personnel in a mine explosion and"

4. The Assembly strongly believes that this long-standing and tragic conflict can only be resolved peacefully, through dialogue and unambiguous signals of goodwill, and on the basis of the applicable international law, fully respecting the human rights of everyone living there.

5. The Assembly recalls the positive obligations of Azerbaijan to ensure the protection of everyone living in its sovereign territory and under its jurisdiction, including the Armenian population of this region. These obligations are enshrined in the international human rights treaties to which Azerbaijan is a party, in particular the European Convention on Human Rights (ETS No. 5) and the Framework Convention for the Protection of National Minorities (ETS No. 157), the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.

6. The Assembly underlines the obligation now incumbent on Azerbaijan, under Articles 2 and 3 of the European Convention on Human Rights, to conduct a thorough, transparent, independent and effective investigation into the deaths, disappearances and allegations of ill-treatment which occurred during and after its recent military operation. It also has an obligation under Protocol No. 4 to the Convention (ETS No. 46) to respect the right of the Armenians of this region to freedom of movement,

including the right to leave any country (Article 2 of Protocol No. 4), and the right to enter the territory of the State of which they are nationals (Article 3 of Protocol No. 4). These rights, as well as the right to respect for private and family lives and their homes (Article 8) and the right to the peaceful enjoyment of possessions (Article 1 of Protocol No. 1 (ETS No. 9)) would be breached if the Armenians who have fled the region were to be prevented from returning voluntarily to the homes and lands they left behind or if these were to be transferred or de facto expropriated.

7. The Assembly recalls that Azerbaijan is further bound by international standards for the protection of national minorities and for the prevention of population displacement and has moreover the obligation to provide and allow for humanitarian assistance to those Armenians remaining as of today on its territory in the region.

Amendment 22
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Asim MOLLAZADA

In the draft resolution, after paragraph 7, insert the following paragraph:

"The Assembly notes the assurances given by the Republic of Azerbaijan that the rights and freedoms of the Armenian residents will be ensured in line with its Constitution and applicable international obligations, including those mentioned above. The Assembly notes the plans of the government of the Republic of Azerbaijan with respect to the reintegration of Armenian residents and ensuring their rights, including in such areas as security, socio-economic development and religious, cultural and linguistic rights."

Amendment 23
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft resolution, after paragraph 7, insert the following paragraph:

"The Assembly welcomes the invitation by Azerbaijan to the United Nations to visit the region and notes the preliminary conclusion of the United Nations Mission that took place on 1 October 2023. It also welcomes the planned visit by the Council of Europe Commissioner for Human Rights to Azerbaijan, including its Karabakh region, and the co-operation of the Azerbaijani authorities to facilitate this visit."

8. The Assembly has witnessed with great sadness and a sense of powerlessness the massive exodus over recent days of the Armenian population from this region of Azerbaijan, following on immediately from the launch of the military operation and the agreement reached by the Azerbaijan authorities with the self-proclaimed authorities, who have announced their dissolution.

9. Strongly regretting that almost the entire Armenian population of the region – more than 100 600 persons at the time of the adoption of this resolution – has left its

Amendment 7
Tabled by Mr Ruben RUBINYAN, Mr Armen GEVORGYAN , Mr Armen RUSTAMYAN, Ms

ancestral homeland and fled to Armenia, certainly out of genuine fear and a lack of trust in their future treatment by the Azerbaijani authorities, the Assembly recognises the huge responsibility now placed upon Armenia to cope with the refugee crisis underway. It welcomes the declarations of support and solidarity clearly expressed in Armenia for the refugees and calls on the Council of Europe member States to accompany Armenia in this endeavour by providing not only financial support but also expertise, in particular in the area of mental health and psychological support for this traumatised population. The Council of Europe member States should also be ready to demonstrate European solidarity in welcoming a part of the refugee population, should those persons wish to settle elsewhere.

Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN

In the draft resolution, paragraph 9, first sentence, replace the word "fear", with the following words:

"threat of physical extinction, a long-standing policy of hatred in Azerbaijan towards Armenians"

Amendment 24
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft resolution, paragraph 9, after the first sentence, add the following sentence:

"The Assembly also notes that the relevant independent bodies present on the ground, such as the United Nations High Commissioner for Refugees, have not recorded incidences of mistreatment by Azerbaijani authorities of Armenians leaving for Armenia."

10. The Assembly regrets the human tragedy unfolding today, as well as the long-standing and continuing failure on the part of the authorities of Azerbaijan to reassure the Armenian population of this region of their safety and the full respect of their rights, and to guarantee an approach to their future, free of acts or expressions of reprisals or revenge for the events which took place in the 1990s and during the 2020 war.

Amendment 25
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft resolution, replace paragraph 10 with the following paragraph:

"The Assembly deeply regrets the human tragedies that have unfolded in the region over the last three decades, including those resulting from the collective failure of the international community to assume its responsibility and address in a timely fashion the blatant violation of international law, in particular the occupation of the Azerbaijani territories and the massive displacement of civilian populations."

11. In its Resolution 2508 (2023), the Assembly noted the lack of acknowledgment on the part of the leadership of Azerbaijan for the very serious humanitarian and human rights consequences stemming from the blockade of the Lachin Corridor. The factual situation today, with the massive exodus of the almost entire Armenian population from this region, has led to allegations and reasonable suspicion that this can amount to ethnic cleansing. The Assembly notes in this respect that the practice of ethnic cleansing, may give rise to individual criminal responsibility under international law, in so far as it has the characteristics of specific war crimes (ordering the displacement of civilian population) or crimes against humanity (deportation or forcible transfer of population and persecution against any identifiable group). The Assembly notes the strong statements of Azerbaijan refuting such allegations and suspicions and calls upon

Amendment 26
(If adopted, amendments 9, 8 falls)
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft resolution, paragraph 11, delete the second, third and fourth sentences.

Amendment 8
(Falls if amendment 26 is adopted)
Tabled by Mr Ruben RUBINYAN, Mr Armen GEVORGYAN , Mr Armen RUSTAMYAN, Ms

the authorities to spare no efforts in proving in deeds and words that this is not the case.

Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN

In the draft resolution, paragraph 11, second sentence, replace the words "allegations and reasonable suspicion" with the following words:

"credible assertions"

Amendment 9
(Falls if amendment 26 is adopted)
Tabled by Mr Ruben RUBINYAN, Ms Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN, Ms Sona GHAZARYAN

In the draft resolution, paragraph 11, at the end of the third sentence, add the following words:

"in accordance with the Rome Statute of the International Criminal Court and general international law"

Amendment 2
Tabled by Mr Max LUCKS, Mr Arminas LYDEKA, Mr George PAPANDREOU, Mr Emanuelis ZINGERIS, Mr Jeremy CORBYN, Mr Simon MOUTQUIN, Ms Heike ENGELHARDT

In the draft resolution, after paragraph 11, insert the following paragraph:

"The Assembly further notes that Azerbaijan has not yet recognised the Armenian genocide of 1915. The Assembly calls on member States to support the affected Armenian population in light of the States' commitment to prevent a reoccurrence of such crimes, in line with the Convention on the Prevention and Punishment of the Crime of Genocide. The Assembly recalls that the public condoning, denial, trivialisation or justification of the crime of genocide, crimes against humanity, or war crimes as established by international criminal tribunal, and directed against a group of persons or a member of such a group as defined by reference to race, colour, religion, descent or national or ethnic origin (including Roma), sexual orientation, and gender identity, constitute a threat to the values of the Council of Europe. The Assembly invites member States to share their experience in dealing with past historical events in the spirit of the Statute and values of the Council of Europe, in order to prevent such tragic human rights violations from occurring in the future."

Amendment 27
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA, Mr Rafael

HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI

In the draft resolution, after paragraph 11, insert the following paragraph:

"The Assembly welcomes the swift actions taken by the government of Azerbaijan in providing humanitarian aid and restoring key public services, such as healthcare systems to help meet the needs of Armenian residents, as well as the establishment of direct dialogue between the central Azerbaijani government and local ethnic Armenians".

12. The Assembly strongly believes that this tragic exodus of almost a whole population from its ancestral homeland must not be accepted as the new reality: it is not too late for Azerbaijan to redress the situation and prove its goodwill. As a member State of the Council of Europe, Azerbaijan can and should demonstrate, at this difficult time, its willingness and clear intention to calm fears and uphold its obligations under the human rights instruments to which it is a party, and its commitment to the core values of our Organisation.

13. Each man, woman, elderly person or child who has left their home because of their belief that their personal and collective security as Armenians would be in peril after the recent events in the region will have their own story to tell. Beyond these individual human stories, the security and stability of the entire South Caucasus region are at stake and must be preserved, and for this reason, the Assembly calls on Azerbaijan to do everything within its power to demonstrate its willingness to live in peace with its neighbour, Armenia. The Assembly expects both Armenia and Azerbaijan to fully respect each other's territorial integrity and sovereignty, as well as the inviolability of their respective borders. This is particularly important in the context of a possible transport corridor with Nakhichevan which cannot be established against the will of Armenia or to the detriment of its freely determined national interest.

Amendment 28
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI

In the draft resolution, paragraph 13, second sentence, replace the words ", the Assembly calls on Azerbaijan to do everything within its power to demonstrate its willingness to live in peace with its neighbour, Armenia", with the following words:

", the Assembly calls on Azerbaijan and Armenia to do everything within their power to demonstrate their willingness to live in peace as neighbours"

Amendment 11
Tabled by Mr Ruben RUBINYAN, Mr Armen GEVORGYAN , Mr Armen RUSTAMYAN, Ms Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN

In the draft resolution, paragraph 13, after the third sentence, add the following sentence:

"The Assembly calls for greater regional co-operation and for the opening of regional connectivity links based on full respect of countries' sovereignty, territorial integrity and jurisdiction, as well as on the principles of equality and reciprocity."

Amendment 10
Tabled by Mr Ruben RUBINYAN, Mr Armen GEVORGYAN , Mr Armen RUSTAMYAN, Ms

Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN

In the draft resolution, paragraph 13, last sentence, replace the word "corridor" with the following word:

"link"

Amendment 12
Tabled by Mr Ruben RUBINYAN, Ms Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN, Ms Sona GHAZARYAN

In the draft resolution, at the end of paragraph 13, add the following sentence:

"In this context, the Assembly supports all efforts directed towards the normalisation of relations between Armenia and Azerbaijan, based on mutual recognition of sovereignty, inviolability of borders and territorial integrity, on the basis of the 1991 Almaty Declaration."

14. It is now incumbent upon Azerbaijan to create the climate of trust and material conditions for the Armenians of this region to be able to return to their homeland. It should indeed take active steps to encourage and reassure them to do so. This involves gaining their confidence in the willingness of Azerbaijan to guarantee and uphold the protection of their lives and rights, including the right to liberty and security, the right to education in their own language, freedom of expression and freedom of assembly and association, the prohibition of discrimination, the protection of their religious and cultural rights and their right to property, as well as the possibility to maintain transborder relations with Armenia and their relatives living there.

Amendment 29
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft resolution, paragraph 14, first sentence, replace the words "Azerbaijan to create the climate of trust and material conditions for the Armenians of this region" with the following words:

"Azerbaijan and Armenia to create the climate of trust and material conditions for all persons displaced due to the conflict"

Amendment 37
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft resolution, paragraph 14, second and third sentences, replace the words "It should indeed take active steps to encourage and reassure them to do so. This involves gaining their confidence in the willingness of Azerbaijan" with the following words:

"They should indeed take active steps to encourage and reassure them to do so. This involves gaining their confidence in the willingness of Azerbaijan and Armenia"

Amendment 38
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA, Mr Rafael

HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI

In the draft resolution, paragraph 14, last sentence, delete the following words:

"Armenia and"

15. The Assembly believes that this will require genuine, immediate and public investment on the part of Azerbaijan in clear and unequivocal statements to this end, accompanied by discussions with the relevant parties on the concrete measures which will be put in place to protect the security, language, religious, cultural and other minority rights of Armenians from this region. Any expressions of intolerance or revenge for past events are particularly unwelcome in this period, and the Assembly calls upon Azerbaijan to pay particular attention to this aspect. Indeed, given previous such statements there is a clear onus upon the political leadership at the highest level to express its firm rejection of any expressions of hate or revenge. The Assembly calls on Azerbaijan to extend its protection to the cultural heritage of the region.

Amendment 13
Tabled by Mr Ruben RUBINYAN, Mr Armen GEVORGYAN , Mr Armen RUSTAMYAN, Ms Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN

In the draft resolution, paragraph 15, last sentence, after the words "extend its protection to the", add the following word:

"Armenian"

16. Undoubtedly, a process of transitional justice to address the crimes which were perpetrated in the 1990s and during the 2020 war will be indispensable to ensure durable and sustainable peace in the region and between Armenia and Azerbaijan. The Assembly considers that such a process, while complex, may prove more fruitful in restoring confidence than aggressive actions, rhetoric or the instigation of criminal proceedings against the former leaders of Nagorno-Karabakh. The Assembly calls on Azerbaijan to release all detained representatives of Nagorno-Karabakh as well as all Armenian prisoners of war currently held in Azerbaijan.

Amendment 30
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI

In the draft resolution, replace paragraph 16 with the following paragraph:

"Undoubtedly, a process of transitional justice to address the crimes which were perpetrated in the nineties and during the 2020 war will be indispensable to ensure durable and sustainable peace in the region and between Armenia and Azerbaijan, and the Assembly considers that such a process, while complex, may prove more fruitful in restoring confidence than aggressive actions, rhetoric or the too-hasty instigation of criminal proceedings against those suspected of association with the separatist movement."

17. The Assembly welcomes the deployment by the United Nations of a mission to Nagorno-Karabakh for the first time in more than 30 years, the aim of which is to assess humanitarian needs in the region. It expresses its hope that this visit will be swiftly followed by an agreement on the part of the Azerbaijani authorities to organise high-level and fact-finding visits from other international bodies, in particular relevant institutions and bodies of the Council of Europe.

18. In this respect, the Assembly believes that a visit of the Commissioner for Human Rights in the very near future and the visit later this year of the Advisory Committee on the Framework Convention for the Protection of National Minorities in the context of its regular monitoring cycle would be a clear sign of Azerbaijan’s willingness to engage with the Organisation on the measures now needed. The facilitation of such visits will allow the

Organisation to gain the best overview of the situation, conduct a more effective dialogue with the authorities of Azerbaijan and to lend its expertise and support in redressing the situation, including as regards the protection and reassurance of the remaining Armenian population, the safeguarding of the property and other assets of those who have sought refuge abroad in the current situation, and the necessary measures to encourage the return of this population to its homeland.

19. In particular, the Council of Europe could offer its expertise in confidence-building measures, aiming to allow the Armenian population of this region to feel confident enough to return to its homeland and to live in peaceful and trustful relations both with the Azerbaijani authorities and its neighbours in the region.

Amendment 14
Tabled by Mr Ruben RUBINYAN, Mr Armen GEVORGYAN , Mr Armen RUSTAMYAN, Ms Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN

In the draft resolution, at the end of paragraph 19, add the following sentence:

"In this context the Assembly calls on Azerbaijan to refrain from hate speech, in particular unacceptable language and rhetoric employed by members of the government of Azerbaijan in relation to members of the Armenian population, and to contribute to building a climate of tolerance and mutual respect."

20. The Assembly considers that in addition to the urgent need for access to the region for the Council of Europe relevant institutions and bodies, the authorities of Azerbaijan should regularly provide the Secretary General and the Committee of Ministers with full and detailed information on the measures which have already been taken and that are planned to protect and enhance the rights and freedoms of the Armenians from this region under the European Convention on Human Rights, in particular with a view to securing confidence in a safe return for those who so wish.

21. Conscious of the focused scope of this report, which is centred exclusively on the humanitarian situation which has affected the Armenian population of Nagorno-Karabakh following Azerbaijan's military operation of 19-20 September 2023, the Assembly stands ready to examine in further depth the political and legal implications of the unfolding situation and the measures to come. Should Azerbaijan fail to fulfil its obligations, the Assembly shall have no other alternative than to call for the initiation of a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by Azerbaijan of its statutory obligations.

Amendment 1
Tabled by Mr Max LUCKS, Mr Arminas LYDEKA, Mr Jeremy CORBYN, Mr Simon MOUTQUIN, Ms Heike ENGELHARDT

In the draft resolution, paragraph 21, after the first sentence, add the following sentence:

"Due to the severity of the current humanitarian crises for the Armenian people in the region, the Assembly calls on member States to provide special protection to Armenian diasporas affected by persecution, as well as to consider the use of measures such as the re-evaluation of current trade agreements and sanctions in order to urge Azerbaijan to comply with its international obligations as defined by the Council of Europe."

Amendment 17
Tabled by Mr Theodoros ROUSOPOULOS, Mr Frank SCHWABE, Mr Iulian BULAI, Mr Pablo

HISPÁN, Ms Carmen LEYTE, Mr Bertrand BOUYX, Mr Claude KERN, Mr Bruno STUDER

In the draft resolution, at the end of paragraph 21, add the following words:

"and challenge the credentials of the Azerbaijani delegation at its first part-session of 2024".

Amendment 18
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the title of the draft resolution, replace the word "Nagorno-Karabakh" with the following words:

"the Karabakh region of Azerbaijan"

B. Draft Recommendation

1. Referring to Resolution... (2023) “Humanitarian situation in Nagorno-Karabakh”, the Parliamentary Assembly invites the Committee of Ministers to take urgent measures to address and redress the exodus of the almost entire Armenian population of Nagorno-Karabakh and the critical humanitarian and human rights crisis affecting them in the months before and immediately after the military operation launched by Azerbaijan on 19 September 2023. It is deeply concerned by a situation which seems, at the very least, to invite suspicions of many aspects of ethnic cleansing.

Amendment 32
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI

In the draft recommendation, paragraph 1, first and second sentences, delete the following words:

"in the months before and immediately after the military operation launched by Azerbaijan on 19 September 2023. It is deeply concerned by a situation which seems, at the very least, to invite suspicions of many aspects of ethnic cleansing."

2. Regretting that Azerbaijan has not respected the commitment it undertook when it joined the Council of Europe to peacefully settle the conflict in this region, as stated in Opinion 222 (2000), the Assembly believes that it is not too late for Azerbaijan to redress the situation and prove its intention towards the Armenian population of Nagorno-Karabakh.

Amendment 33
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI

In the draft recommendation, replace paragraph 2 with the following paragraph:

"Regretting that the commitment undertaken by Armenia and Azerbaijan when they joined the Council of Europe to peacefully settle the conflict in this region was not realised, the Assembly believes that it is not too late for these member States of the Council of Europe to redress the situation."

3. To this end, the Assembly requests that the Secretary General and the Committee of Ministers do everything possible to organise a Council of Europe fact-finding mission to Azerbaijan as swiftly as possible, with the aim of assessing and outlining the measures to be put in place to protect the rights of the Armenians of this region including those who have sought refuge outside the country, and to ensure the safe return of those who so wish. Such on-the-ground fact-finding would help in determining what support the Council of Europe can provide to this process, including expertise on minority issues and confidence building measures. This process should doubtless include immediate measures to register and protect the property and assets of those who are currently seeking refuge outside the country and to facilitate access to relevant international or national procedures, in particular in Azerbaijan.

Amendment 34
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Nigar ARPADARAI, Ms Sevinj FATALIYEVA, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft recommendation, paragraph 3, first sentence, replace the words "fact-finding mission to Azerbaijan as swiftly as possible, with the aim of assessing and outlining the measures to be put in place to protect the rights of the Armenians of this region" with the following words:

"fact-finding mission to Armenia and Azerbaijan as swiftly as possible, with the aim of assessing and outlining the measures to be put in place to protect the rights of displaced persons"

Amendment 35
Tabled by Mr Samad SEYIDOV, Mr Rafael HUSEYNOV, Ms Nigar ARPADARAI, Ms Sevinj

FATALIYEVA, Mr Erkin GADIRLI, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA

In the draft recommendation, paragraph 3, last sentence, delete the following words:

", in particular in Azerbaijan"

Amendment 15
Tabled by Mr Frank SCHWABE, Mr Iulian BULAI, Mr Theodoros ROUSOPOULOS, Mr Pablo HISPÁN, Ms Carmen LEYTE, Mr Bertrand BOUYX, Mr Claude KERN, Mr Bruno STUDER

In the draft recommendation, after paragraph 3, insert the following paragraph:

"The Assembly also calls on the Committee of Ministers to establish country monitoring for Azerbaijan under its 1994 Declaration on compliance with commitments accepted by member States of the Council of Europe."

Amendment 16
Tabled by Mr Iulian BULAI, Mr Frank SCHWABE, Mr Theodoros ROUSOPOULOS, Ms Carmen LEYTE, Mr Bertrand BOUYX, Mr Claude KERN, Mr Bruno STUDER

In the draft recommendation, after paragraph 3, insert the following paragraph:

"The Assembly also calls on the Committee of Ministers to consider initiating the joint complementary procedure in response to a serious violation by Azerbaijan of its Statutory and accession commitments."

4. Acknowledging the huge humanitarian crisis which Armenia is facing with the arrival of more than 100 600 Armenians from Azerbaijan, the Assembly welcomes the ongoing fact-finding mission to Armenia by the Special Representative of the Secretary General on Migration and Refugees, which aims to determine the support which the Organisation could provide to its member State in assisting these refugees.

Amendment 4
Tabled by Mr Ruben RUBINYAN, Mr Armen GEVORGYAN , Mr Armen RUSTAMYAN, Ms Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN

In the draft recommendation, paragraph 4, replace the words "Armenians from Azerbaijan" with the following words:

"Armenian refugees"

5. Recognising the gravity of the situation, the Assembly will remain vigilant as to the next measures taken by the Azerbaijani authorities and to the follow-up given to Resolution ... (2023), basing itself in particular on the need to ensure full and unambiguous honouring of the international commitments and obligations entered into by, and incumbent upon Azerbaijan.

Amendment 3
Tabled by Mr Ruben RUBINYAN, Mr Armen GEVORGYAN , Mr Armen RUSTAMYAN, Ms Arusyak JULHAKYAN, Ms Hripsime GRIGORYAN, Mr Vladimir VARDANYAN

In the draft recommendation, at the end of paragraph 5, add the following sentence:

"The Assembly requests the Committee of Ministers to examine closely whether Azerbaijan's actions towards the population of Nagorno-Karabakh are in conformity with its Statutory obligations, with a view to initiating a

complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by Azerbaijan of its Statutory obligations."

Amendment 31
Tabled by Mr Samad SEYIDOV, Mr Fazil MUSTAFA, Mr Asim MOLLAZADA, Mr Rafael HUSEYNOV, Ms Sevinj FATALIYEVA, Ms Nigar ARPADARAI, Mr Erkin GADIRLI

In the title of the draft recommendation, replace the word "Nagorno-Karabakh" with the following words:

"the Karabakh region of Azerbaijan"