



Doc. 15898 – Compendium of written amendments
23/01/2024

(Final version)

Challenge, on substantive grounds, of the still unratified credentials of the parliamentary delegation of Azerbaijan

Contents	Page
A. Draft Resolution	2

A. Draft Resolution

1. The Parliamentary Assembly recalls that by acceding to the Council of Europe on 25 January 2001, the Republic of Azerbaijan has agreed to honour several specific commitments listed in Assembly Opinion 222 (2000), as well as the obligations incumbent on all member States under Article 3 of the Statute of the Council of Europe (ETS No. 1): compliance with the principles of pluralist democracy and the rule of law as well as respect for human rights and fundamental freedoms of all persons placed under its jurisdiction.
2. The Assembly deplores that more than 20 years after joining the Council of Europe, Azerbaijan has not fulfilled major commitments stemming therefrom. Very serious concerns remain as to its ability to conduct free and fair elections, the separation of powers, the weakness of its legislature vis-à-vis the executive, the independence of the judiciary and respect for human rights, as illustrated by numerous judgments of the European Court of Human Rights and opinions of the European Commission for Democracy through Law (Venice Commission).
3. In this context, the Assembly recalls its Resolution 2184 (2017) “The functioning of democratic institutions in Azerbaijan”, Resolution 2185 (2017) “Azerbaijan’s Chairmanship of the Council of Europe: what follow-up on respect for human rights?”, Resolution 2279 (2019) “Laundromats: responding to new challenges in the international fight against organised crime, corruption and money laundering”, Resolution 2322 (2020) “Reported cases of political prisoners in Azerbaijan”, Resolution 2362 (2021) “Restrictions on NGO activities in Council of Europe member States”, Resolution 2418 (2022) “Alleged violations of the rights of LGBTI people in the Southern Caucasus”, Resolution 2494 (2023) “Implementation of judgments of the European Court of Human Rights”, Resolution 2509 (2023) “Transnational repression as a growing threat to the rule of law and human rights” and Resolution 2513 (2023) “Pegasus and similar spyware and secret state surveillance”. It also notes with concern that, according to the Council of Europe’s Platform to promote the protection of journalism and safety of journalists, at least 18 journalists and media actors are currently in detention.
4. Regarding the situation in Nagorno-Karabakh, the Assembly established the absence of a free and safe access through the Lachin Corridor in its Resolution 2508 (2023) “Ensuring free and safe access through the Lachin corridor” and was struck by the fact that Azerbaijan’s leadership did not acknowledge the very serious humanitarian and human rights consequences stemming from that situation, which lasted for nearly ten months. Moreover, in its Resolution 2517 (2023) and Recommendation 2260 (2023) “The humanitarian situation in Nagorno-Karabakh”, the Assembly condemned the Azerbaijani army’s military operation of September 2023, which led to the flight of the entire Armenian population of Nagorno-Karabakh to Armenia and to allegations of “ethnic cleansing”. The Assembly

recalls that in Resolution 2517 (2023) it did not exclude challenging the credentials of the Azerbaijani delegation at its first part-session of 2024.

5. The Assembly also notes that on 5 December 2023 the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) adopted a report on the honouring of obligations and commitments by Azerbaijan and that this report will be examined by the Assembly after the snap presidential election in Azerbaijan, which is scheduled for 7 February 2024 and was called on 7 December 2023, shortly after the adoption of the said report.
6. Recalling its Resolution 2322 (2020) "Reported cases of political prisoners in Azerbaijan", the Assembly is also concerned that rapporteurs of the Monitoring Committee were not allowed to meet with persons detained on allegedly politically motivated charges. Moreover, the Assembly strongly regrets that it has not been invited to observe the forthcoming presidential election despite Azerbaijan's obligation to send such an invitation as the country is under monitoring procedure. The Assembly considers these refusals as instances of "lack of co-operation in the Assembly's monitoring procedure" in the meaning of Rule 8.2.b of the Rules of Procedure of the Assembly. Furthermore, it condemns the Azerbaijani delegation's lack of cooperation with the rapporteur of the Committee on Legal Affairs and Human Rights on "Threats to life and safety of journalists and human rights defenders in Azerbaijan", who has been refused to visit the country three times. It also deeply deplores that the rapporteur of the Committee on Migration, Refugees and Displaced Persons on "Ensuring free and safe access through the Lachin corridor" was not invited to Azerbaijan during his fact-finding visit to the region and was thus unable to travel to the Lachin Corridor.
7. Therefore, the Assembly resolves not to ratify the credentials of the Azerbaijani delegation.

Amendment 1

Tabled by Mr Davor Ivo STIER, Mr Frank SCHWABE, Mr Iulian BULAI, Mr Emanuelis ZINGERIS, Mr Damien COTTIER

In the draft resolution, at the end of paragraph 7, insert the following sentence:

"The delegation of Azerbaijan may resume its activities in the Assembly when conditions provided by the Rules of Procedure are met."