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DELEGATION OF THE REPUBLIC OF ARMENIA
ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

ENGLISH only

Statement

**In Response to the Report by the Special Envoy of the Chairman-in-Office,
Ambassador Heikki Talvitie**

Delivered by Ambassador Jivan Tabibian
At the 706th Meeting of the OSCE Permanent Council
March 13, 2008

Mr. Chairman,

The Armenian delegation extends a very warm welcome to Ambassador Talvitie who is familiar not only to this room but he is very familiar with Armenia. His activities, relations and roles go way back. Actually they go so way back that he at times had worked with the challenging opposition leader. Therefore, I am sure when he went to visit him on his last visit he was not talking to a stranger.

It is welcome that the CiO so quickly responded to the situation and sent ambassador Talvitie “an old hand” as they say, to go see what was happening and he was sent so quickly after the so called ‘events’.

Here is the issue. The most important political statement that came out of Ambassador Talvitie’s meetings, if I understood Ambassador Talvitie correctly, was that the opposition leader would consider what to do next after the Constitutional Court’s decision, because without that decision and without lifting the State of Emergency he saw no point in dialogue. That is exactly what he must have said. That is exactly what Ambassador Talvitie told us, but here is the conundrum. The Constitutional Court has already taken a decision. No one in this room knows that 6 out of 9 judges of the Constitutional Court were appointees of the previous president the leader of the opposition. So these are not what are called in some places “a packed court”, which happens quite a lot in some places but ours is not a packed court.

The second thing is the lifting of the State of Emergency. As you correctly pointed out the newly elected president’s offer for cooperation was done before the State of Emergency. Some opposition leaders even those who had been excessively critical of the candidate and the electoral processes, chose to sit down for dialogue. Therefore, the conditions from the opposition Ambassador Talvitie conveyed to us, are essentially temporary ways of evading the issue. Will the opposition, when the State of Emergency is lifted and the Constitutional Court has decided, return to the street or sit the dialogue table.

My impression is that if dialogue was part of their agenda it would have taken place before the events of March first.

The second point is that it is all a matter of how the actors see the utility or the futility of their actions. That I can not decide for them. We have to wait and see as they say.

Several delegations and rightly so advocated that the State of Emergency be removed. I think it should be and it will be. The question is that it was not as indefinite as in some other cases. It had a limit of 20 days and there have already been 3 relaxations since: one pertaining to the activity of political parties, in another today, a relaxation of the freedom of the press within certain confines namely disallowing incitement to unlawful action and political riots, and the third, to do with the residency of the people who were involved in the unlawful actions.

To my USA colleague's statement, I would like to say that the arrest of opposition leaders may not be because they are simply opposition. Arrest of opposition leaders may be because of their particular specific conduct, speech, incitement and behavior. One must recognize that the mantle of "opposition" does not cover one with a presumed innocence as to any act. Just as governments can commit acts that are unlawful, opposition leaders can do so as well. Unlawfulness does not stop at the threshold of authorities.

Ultimately it comes down to the question of who do we give the benefit of the doubt to. That is, to the benefit of the motivation by the political interests, of observers and commentators, or the people and the population of Armenia?

One last point on the Nagorno Karabakh item that came up; we simply ought to say that the tension is regrettable, and thank God we have the Minsk Group and the Co-Chairs. We also have the CiO and also the CiO's personal representative. So we rely on them to determine what is going on and to calm everybody down and hope to bring things to the previous situation. What the Armenian delegation wishes to say however, is that testing the resolve of an enemy one thinks is weakened temporarily or otherwise, is to play with fire. I am sure the Co-Chairs will convey this message to all concerned.

Thank you, Mr. Chairman.