



**THE PERMANENT MISSION OF THE REPUBLIC OF AZERBAIJAN
TO THE UNITED NATION**

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**Statement by H.E. Mr. Yashar Aliyev
Permanent Representative of the Republic of Azerbaijan to the United Nations
at the Security Council open debate on “Maintenance of international peace and security:
conflicts in Europe”**

21 February 2017

Mr. President,

Allow me to begin by thanking the Ukrainian presidency for having organized this open debate on the very important and pressing topic of conflicts in Europe.

We are also grateful to the Secretary-General for his remarks. Taking this opportunity, I would like once again to express my country’s full support for his January 1st Appeal for Peace and our determination to genuinely contribute to joint efforts towards making 2017 a year for peace.

Strict compliance with the generally accepted norms and principles of international law guiding inter-State relations and the fulfillment in good faith of the obligations assumed by States are imperatives to that end. However, this objective is hardly accomplishable if these norms and principles are misinterpreted, conditioned or implemented with reservations, if not neglected at all, while some of them are referred to cover up aggressions, atrocities and ethnic cleansing.

Mr. President,

At the end of 1991 and the beginning of 1992, when both Armenia and Azerbaijan attained independence and were accorded international recognition, the former’s groundless territorial claims against my country escalated into a full-fledged inter-State war. As a result, a significant part of Azerbaijan’s territory, including the Nagorno-Karabakh region, the seven adjacent districts (Lachyn, Kalbajar, Zangilan, Gubadly, Jabrayil, parts of Fuzuli and Aghdam) and some exclaves, was occupied by Armenia. Serious violations of international humanitarian law amounting to war crimes, crimes against humanity and acts of genocide were committed in the course of the aggression. The war claimed the lives of tens of thousands of people, ruined cities and livelihoods and resulted in the forcible expulsion of more than 1 million Azerbaijanis from their homes and properties, while thousands of people went missing in connection with the conflict.

This month is marked by the twenty-fifth anniversary of the atrocious crime committed by the Armenian forces against the civilians and defenders of the town of Khojaly, situated in the Nagorno-Karabakh region of Azerbaijan. What happened in Khojaly on the night of 25 to 26 February 1992 was the largest massacre in the almost 30-years long conflict. As a result of massive artillery bombardment of Khojaly and the subsequent attack and capture of the town, hundreds of Azerbaijanis, including women, children and the elderly, were killed, wounded or taken hostage, while the town was razed to the ground.

This mass killing was committed less than a month after the Security Council recommended to the General Assembly the admission of the Republic of Armenia to membership of the United Nations and recalled in that regard “Armenia’s solemn commitment to uphold the Purposes and Principles of the Charter, which include the principles relating to the peaceful settlement of disputes and the non-use of force” (S/23496, 29 January 1992).

In 1993, the Security Council, in this very Chamber, unanimously adopted four resolutions (822, 853, 874 and 884), condemning the occupation of the territories of Azerbaijan, reaffirming respect for its sovereignty and territorial integrity, the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory. In response to Armenia’s territorial claims and actions, the Council reconfirmed that the Nagorno-Karabakh region is an integral part of Azerbaijan and demanded the immediate, complete and unconditional withdrawal of the occupying forces from all the occupied territories. A series of Security Council presidential statements adopted between 1992 and 1995 and the documents of other authoritative international organizations are framed along the same lines.

Obviously, the resolutions of the Security Council acknowledge the fact that acts of military force were committed against Azerbaijan; that such acts are unlawful and incompatible with the prohibition of the use of armed force in international relations in contradiction with the Charter of the United Nations and its purposes; that they constitute an obvious violation of the sovereignty and territorial integrity of Azerbaijan and, specifically, of Article 2, paragraph 4, of the Charter.

The Security Council also tasked the Organization (then the Conference) for Security and Cooperation in Europe (OSCE) to ensure, in performing its mediation efforts towards the settlement of the conflict, the implementation of the resolutions. In that context, the Chairman of the Minsk Conference, Mr. Mario Rafaelli, stated that the immediate withdrawal from the seized territories is “the key factor in ensuring that peaceful negotiations can move forward” (S/26184, 28 July 1993).

It is pertinent to recall also the positions expressed at that time by the three permanent members of the Security Council, who are at present the co-chairs of the OSCE Minsk Group.

Thus, in his statement following the adoption of resolution 853 on 29 July 1993, the representative of the Russian Federation particularly noted that the Azerbaijani town of Aghdam had been seized despite assurances to the Russian side by official Armenian representatives that no ground offensive operations would be undertaken and that they did not intend to attack the town (S/PV.3259). At the same meeting, the representative of the United States of America stated that the seizure of Aghdam could not be justified by any claim to self-defence and that this action had disrupted the peace process (S/PV.3259). Following the adoption of resolution 884 on 12 November 1993, which condemned the occupation of the Zangelan district and the city of Goradiz, attacks on civilians and bombardments of the territory of Azerbaijan, the representative of France stated, inter alia, that the acquisition of territory by force was inadmissible and doing so for the purposes of negotiation could not be countenanced (S/PV.3313).

On his part, the United Nations Secretary-General made it crystal clear in 1994 that "the position of the United Nations is based on four principles which have been mentioned in the different resolutions of the Security Council. The first principle is the territorial integrity of Azerbaijan. The second principle is the inviolability of the international boundaries; the third principle is the inadmissibility of the use of force for the acquisition of territory; and the fourth principle is the immediate and unconditional withdrawal of all foreign troops from occupied territories of Azerbaijan" (Press release SG/SM/5460, 31 October 1994).

Unfortunately, Security Council key demands have still not been implemented, and the mediation efforts conducted for more than 20 years within the framework of the OSCE have yet to yield results.

There is no doubt that Armenia's continued military occupation of the territories of Azerbaijan could not be possible without the sense of impunity that it enjoys despite persistent contempt for international law. As its direct consequence, Armenia has consistently obstructed the conflict settlement process, and in the meantime refuses to start result-oriented talks, regularly resorts to various provocations to escalate the situation on the front line and tries to consolidate the current *status-quo* by strengthening its military build-up in the seized territories and changing their demographic, cultural and physical character.

Armenia's yet another provocative attempt to hold yesterday a so-called "constitutional referendum" in the occupied Nagorno-Karabakh region of Azerbaijan and to change the geographic name of a part of my country's internationally recognized territory, in violation of international law, the Constitution and the legislation of Azerbaijan and the principles and procedures for international standardization of geographical names established within the United Nations, clearly testifies to its policy of annexation of the territories of Azerbaijan and unwillingness to engage in a constrictive search for peace. The international community once again united with Azerbaijan in rejecting this action and its outcomes as null and void.

The presence of the armed forces of Armenia in the occupied territories of Azerbaijan is the main cause of tensions and incidents on the front line and the major impediment to the political settlement of the conflict. The escalation provoked by Armenia in April 2016 demonstrated that the *status-quo* is unsustainable.

It should be particularly noted that since the very first day of the conflict combat operations have been conducted exclusively inside the territory of Azerbaijan, almost in the middle of the country, affecting its civilian population and infrastructure. In their declaration of 9 November 1993 made in response to the seizure of Azerbaijani territories, the nine countries of the Minsk Group "condemn[ed] the looting, burning and destruction of villages and towns, which cannot be justified under any standards of civilized behavior" (S/26718, 10 November 1993).

The same policy has been continued up to now. As a result of Armenia's attacks last April only, 34 towns and villages in Azerbaijan along the front line were shelled, causing casualties among civilians and servicemen, as well as either destroying or substantially damaging the private and public property, including residential houses, schools and kindergartens.

In its assessment report submitted following the visit in May 2016 to the affected areas in Azerbaijan, the mission of the United Nations High Commissioner for Refugees found that Azerbaijani villages along the line of contact had been coping with the regular violations of the ceasefire for the last 20 years and that, since the beginning of April 2016, the situation had changed fundamentally due to the use of new and heavier types of military hardware inflicting worse damage to Azerbaijani settlements situated behind the frontlines.

Mr. President,

The leadership of Armenia must realize that the military occupation of a territory of another State does not represent a solution and its reliance on the *status-quo* is a grave miscalculation, and evidently this policy does not serve, and is detrimental to, the real interests, aspirations and well-being of the Armenian people. Azerbaijan will never compromise its territorial integrity and the rights and freedoms of its citizens grossly violated as a result of the aggression.

The achievement of peace, security and stability is possible, first and foremost, only if the consequences of Armenia's occupation are removed, thus ensuring that its armed forces are immediately, unconditionally and completely withdrawn from the territories of Azerbaijan, the sovereignty and territorial integrity of my country is restored and the right of internally displaced Azerbaijanis to return to their homes is guaranteed and implemented. That is what international law and the Security Council demand and that is what can in no way be substituted with semi-measures under whatever pretext, introduced as a compromise or used as a bargaining chip in the conflict settlement process.

As a country suffering from the occupation of its territories and the forcible displacement of hundreds of thousands of its citizens, Azerbaijan is the most interested party in the earliest political settlement of the conflict, ensuring peace, justice and development in the region.

Thank you.