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**Statement by Mr. Tofiq F. Musayev
Deputy Permanent Representative of the Republic of Azerbaijan to the United Nations, in exercise of
the right of reply to the statement by the delegation of the Republic of Armenia**

**at the Sixth Committee of the seventy-eighth session of the United Nations General Assembly under
agenda item : 80 "Crimes against humanity"**

12 October 2023

The statement made by the representative of Armenia raises the obvious question as to whether he is aware about the draft articles developed by the International Law Commission and its recommendations in that regard, as well as about the functions of the Sixth Committee and the topic under consideration. Given what the representative of Armenia claimed in his statement, the answer is definitely negative.

It is ironic that Armenia – a country which bears responsibility for unleashing the aggression against Azerbaijan, committing most serious crimes during the conflict and carrying out ethnic cleansing on a massive scale – enthusiastically talks about international justice.

That Armenia is liable for grave offenses, including crimes against humanity, is well documented, not only by the official investigation in my country, but also by numerous independent and impartial sources consisting, *inter alia*, of the documents of international organizations and reports by eminent international lawyers, foreign journalists, human rights advocates and international non-governmental organizations.

It is notable that Armenia not only refused to prosecute and punish those responsible for atrocity crimes and to offer an appropriate remedy or redress for its breaches, but venerated and glorified the perpetrators as national heroes and promoted them to the highest political and military positions in the country.

Armenia's reliance on biased and pseudo-expert opinion of former ICC Prosecutor Ocampo can in no way be a source of proof of imaginary acts and their consequences. As pointed out in our letter A/77/1008-S/2023/635 dated 28 August 2023, this so-called opinion is a fundamentally flawed exercise in legal reasoning, as its oversights or omissions do not reflect the methodology of a comprehensive, independent or fair-minded expert report, it presents a patently incomplete account of the relevant factual and legal context, fails to undertake a rational and balanced analysis of the available evidence and mischaracterizes the proceedings in the International Court of Justice. It is noteworthy that the representative of Armenia quoted an incompetent opinion of a person with a discredited reputation in an attempt to impose its fabricated narratives.

The common feature of all actions that Azerbaijan was compelled to take in response to Armenia's unlawful use of force and terrorist activities was their compliance with the Charter of the United Nations and international law.

What Armenia groundlessly calls "military attacks against the peaceful population" last month, on 19-20 September, were the local counter-terrorism measures taken by Azerbaijan on its sovereign soil, in the Garabagh region, in full accordance with the rights and responsibilities vested in States under the Charter of the United Nations and international law, and in strict compliance with international humanitarian law.

The allegations of the representative of Armenia about the civilian casualties or ethnic cleansing contradict even the pronouncements made by his own Prime Minister of Armenia, who stated on 21 September that "rumors about mass casualties among the civilian population are not true" and that "there is no direct threat to the civilian population".

The claims voiced by the representative of Armenia have been effectively refuted also by the officials of the United Nations who visited the region.

Thus, on 2 October 2023, the United Nations mission that visited the Garabagh region of Azerbaijan a day earlier reported that it "saw no damage to civilian public infrastructure, including hospitals, schools and housing, or to cultural and religious structures" and "did not come across any reports – neither from the local population interviewed nor from the interlocutors – of incidences of violence against civilians following the latest ceasefire."

Furthermore, the representative of Armenia made selective and inaccurate comments in respect of the measures indicated by the International Court of Justice. Thus, for example, these comments passed over in silence the measure indicated by the Court at the request of Azerbaijan on 7 December 2021 under the International Convention on the Elimination of All Forms of Racial Discrimination, which ordered Armenia to "take all necessary measures to prevent the incitement and promotion of racial hatred, including by organizations and private persons in its territory, targeted at persons of Azerbaijani national or ethnic origin".

Against this background, I would recommend the delegation of Armenia not to waste time for lecturing others about the principles, values and norms that their Government has consistently disregarded and opposed and to concentrate instead on respecting own international obligations, engaging faithfully in normalizing inter-State relations and building peace in the region.