

Mr. Aliyev (Azerbaijan) (*spoke in Russian*): Allow me to express our sincere condolences to our colleagues at the Russian Federation's Mission to the United Nations and to the family of Mr. Churkin, who passed away.

(*spoke in English*)

My delegation thanks 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. I would like to take this opportunity to express once again my country's full support for his appeal of 1 January for peace and our determination to genuinely contribute to joint efforts towards making this year, 2017, a year for peace.

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

At the end of 1991 and the beginning of 1992, both Armenia and Azerbaijan obtained their independence and were accorded international recognition. The groundless Armenian territorial claim against my country escalated into a full-fledged inter-State war. As a result, a significant part of my country's territory, including the Nagorno Karabakh region of the Republic of Azerbaijan — a region of the Republic of Azerbaijan, not of the South Caucasus, not of Transcaucasus or of anywhere else — and the seven adjacent districts of Lachin, Kalbajar, Zangilan, Qubadli, Jabrayil, Fizuli and Agdam, and other exclaves were 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 marks 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 25-26 February 1992 was the largest massacre in the nearly 30-year-old conflict. As a result of the massive artillery bombardment of Khojaly and the subsequent attack on 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. That mass killing was committed less than a month after the Security Council recommended to the General Assembly the admission of the Republic of Armenia for membership to the United Nations and, in that regard, recalled in a note by the President “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”. This is in document S/23496, of 29 January 1992.

Later in 1993, in this very Chamber, the Security Council unanimously adopted four resolutions — resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993) — condemning the occupation of the territories of Azerbaijan and 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 documents of other authoritative international organizations are framed along the same lines.

Obviously, the Security Council resolutions 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; and that they constitute an obvious violation of the sovereignty and territorial integrity of Azerbaijan, specifically as pertains to Article 2, paragraph 4 of the Charter.

The Security Council also tasked the Organization — known at that time as 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 those resolutions. In that context, the Chairman of the Minsk Conference, Mr. Mario Raffaelli of Italy, stated that the immediate withdrawal from the seized territories is “the key factor in ensuring that peaceful negotiations can move forward”. This is found in the appendix in document S/26184 of 28 July 1993.

It is also pertinent to recall the positions expressed at that time by the three permanent members of the Security Council .who are currently the co-Chairs of the Minsk Group. At the Council’s 3258th meeting, on 29 July 1993, in his statement following the adoption of resolution 853 (1993), the representative of the Russian Federation particularly noted that the Azerbaijani town of Agdam 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. At the same meeting, the representative of the United States of America stated that the seizure of Agdam could not be justified by any claim of self-defence and that that action had disrupted the peace process. Following the adoption of resolution 884 (1993) on 12 November 1993, which condemned the occupation of the Zangelan district and the city of Goradiz and 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 negotiations could not be countenanced (see S/PV.3313).

For his part, in 1994 the Secretary-General made it crystal clear 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.”

This is from document SG/SM/5460, 31 October 1994.

Unfortunately, the Security Council’s 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 a direct consequence, Armenia has consistently obstructed the conflict-settlement process and, in the meantime refuses to start result-oriented negotiations, while it regularly resorts to various provocations to escalate the situation on the front line and tries to consolidate the status quo by strengthening its military build-up in the seized territories and changing their demographic, cultural and physical character.

Armenia’s further provocative attempt yesterday to hold a so-called constitutional referendum in the occupied Nagorno Karabakh region of Azerbaijan and 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 constructive 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 my country 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 my country, almost in the middle of Azerbaijan, 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 OSCE Minsk Group

“condemn the looting, burning and destruction of villages and towns, which cannot be justified under any standards of civilized behaviour” (*S/26718, p. 3*).

The same policy has been continued up to now. As a result of Armenia’s attacks last April, 39 towns and villages in Azerbaijan along the front line were shelled, causing casualties among civilians and servicemen, and either destroying or substantially damaging private and public property, including residential houses, schools and kindergartens.

In its assessment report submitted following a visit in May 2016 to the affected areas in Azerbaijan, a mission of the Office of the United Nations High Commissioner for Refugees found that Azerbaijani villages along the line of contact had been coping with the regular ceasefire violations for the past 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 on Azerbaijani settlements situated behind the front lines.

The leadership of Armenia must realize that the military occupation of a territory of another State Member of the United Nations does not represent a solution, and that its reliance on the status quo is a grave miscalculation. 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 or the rights and freedoms of its citizens that are grossly violated as a result of the aggression.

The achievement of peace, security and stability will be possible, first and foremost, only if the consequences of Armenia’s occupation are removed, thereby ensuring that its armed forces are immediately, unconditionally and completely withdrawn from the territories of Azerbaijan, the sovereignty and territorial integrity of my country are 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 can in no way be substituted with semi-measures, made under any 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 party most interested in the earliest political settlement of the conflict, which would ensure peace, justice and development in the region.