



General Assembly

Distr.: General
17 October 2014

Original: English

Sixty-ninth session

Agenda item 8

General debate

Letter dated 2 October 2014 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the President of the General Assembly

I have the honour to attach herewith a statement of the delegation of the Republic of Azerbaijan in exercise of the right of reply to the statement made by President Serzh Sargsyan of the Republic of Armenia on 24 September 2014 at the general debate of the sixty-ninth session of the General Assembly (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 8.

(Signed) Husniyya **Mammadova**
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Counsellor



Annex to the letter dated 2 October 2014 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the President of the General Assembly

Statement of the delegation of the Republic of Azerbaijan in exercise of the right of reply to the statement made by President Serzh Sargsyan of the Republic of Armenia on 24 September 2014 at the general debate of the sixty-ninth session of the General Assembly

Remarks made by President Serzh Sargsyan with regard to the conflict between Armenia and Azerbaijan are distorted, fictitious and self-contradictory in substance and inappropriate in tone. In his speech, the President of Armenia went as far as lecturing the States Members of the United Nations about the principles and values which, in reality, his Government and he personally disregard and oppose.

In fact, the successive Governments of Armenia have established a notorious pattern of complete disrespect for the generally accepted norms and principles of international law. Committing war crimes and crimes against humanity, sponsoring terrorism, adhering to dubious ethno-religious ideology and raising territorial claims against its neighbours have become a sort of "norm" of conduct for that Member State.

It is a well established fact that Armenia has occupied about 20 per cent of the territories of Azerbaijan and conducted ethnic cleansing against almost 1 million ethnic Azerbaijanis. The Armenian side committed large-scale killings of the civilian population with the aim of achieving ethnic cleansing. Most notoriously, the Armed Forces of Armenia overran the town of Khojaly in February 1992 in the Nagorno-Karabakh region of Azerbaijan and subjected its civilian population and defenders to an unprecedented massacre.

With its continued use of force against the sovereignty and territorial integrity of the Republic of Azerbaijan, Armenia flagrantly violates the Charter of the United Nations. Furthermore, by expelling the Azerbaijani civilian population from their native lands, as a result of which no single Azerbaijani is left in Armenia or in the occupied territories of Azerbaijan, and preventing them from returning to their homes, Armenia grossly violates basic human rights and international humanitarian law.

Furthermore, Armenia takes an unconstructive position in the peace process. Instead of engaging in negotiations in good faith with Azerbaijan, Armenia is trying to consolidate the status quo with the aim of achieving the subsequent annexation of the occupied territories. Misleading the international community is a significant part of Armenia's efforts to that end.

President Sargsyan's allegation regarding the non-compliance of Azerbaijan with the relevant resolutions of the Security Council is yet another attempt to present a distorted view of the fundamental documents pertaining to the settlement of the conflict. In contrast to President Sargsyan's assertions, in its resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993) the Council reaffirms the territorial integrity and sovereignty of the Republic of Azerbaijan, with the Nagorno-Karabakh region as a part of it, recognizes and condemns the fact of the invasion and demands the immediate, complete and unconditional withdrawal of the occupying Armenian

forces. To refresh the memory of the Armenian President, it should be noted that it was the Armenian side that rejected the timetable on the implementation of the aforementioned resolutions of the Council.

The respective statement by the Secretary-General of that time provides enough clarity as to what those resolutions mean:

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, Secretary-General, United Nations Department of Public Information, SG/SM/5460, 31 October 1994).

In addition to its destructive stance in the peace process, Armenia is daily acting on the ground. It has deployed a large number of its troops to the occupied territories of Azerbaijan to sustain forceful control over those areas; it supports the illegal settlements in the occupied territories; the Azerbaijani cultural and historic heritage in the occupied territories is being systematically destroyed; the real estate and other remaining property of the forcibly expelled Azerbaijani population are being unlawfully expropriated; illegal archaeological excavations are being conducted to support the claims that the occupied territories were actually “historically Armenian”; the occupied territories are depicted as a part of Armenia on Armenian maps; and so on. With its provocations on the front line which led to a serious escalation last summer, the Armenian Government attempts to divert attention from the core issues of the peace process to the technical aspects of the ceasefire regime. Thus, it abuses the peace process to make the status quo irreversible.

The Government of Armenia also takes steps to make understanding and reconciliation between the Azerbaijani and Armenian peoples impossible. By misusing the education system and controlling the media, it systematically cultivates hatred and racial intolerance against non-Armenians. High-ranking Armenian officials, including the incumbent and former Presidents regularly make inflammatory statements promoting treacherous ideas such as the racial inferiority of other nations.

The public comments made in 2003 by the previous President of Armenia, Robert Kocharyan, about “ethnic incompatibility between Armenians and Azerbaijanis” have produced justifiable indignation within the international community. The then Secretary-General of the Council of Europe, Walter Schwimmer, said that “Kocharyan’s comment was tantamount to warmongering” and a manifestation of “bellicose and hate rhetoric”, while the then President of the Parliamentary Assembly of the Council of Europe, Peter Schieder, stated that “since its creation, the Council of Europe has never heard the phrase ‘ethnic incompatibility’”.

President Sargsyan, who tried to present himself in his speech at the General Assembly as the one who cares for intercultural understanding, plays a central role in promoting racist ideas. Speaking of the forced exodus of Azerbaijanis from Armenia, Serzh Sargsyan, the then Defence Minister of Armenia, stated in an

interview in 2000: “The most important thing is not the territory. It’s that one ethnic group is left in Armenia. In Vardenis and other regions, the Azerbaijanis used to be 70 per cent of the population. Our cultures are not compatible. We can live side by side but not within each other” (Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War*, 10th year anniversary ed. (New York, New York University Press, 2013), p. 310).

Having been elected to the post of President of Armenia in rigged elections in 2008, Serzh Sargsyan elevated those dubious ideas to the ranks of official State ideology. Sargsyan’s Republican Party adopted so-called “ethno-religious Nzhdehism”, an ideology which preaches racial superiority of Armenians. Even in Armenia, people with common sense qualify this ideology as racism.

The Government of Armenia deliberately complicates peace and reconciliation by propagating aggressive wars and promoting war crimes. President Serzh Sargsyan, who was the head of the illegal armed formations which were created by Armenia in the occupied Azerbaijani territories and which occupied Khojaly town in 1992, admitted unequivocally in public, without any feeling of remorse, his culpability for the extermination of the inhabitants and defenders of the town. Thus, for example, the following citation from the well-known interview of the President of Armenia is self-explanatory: “Before Khojaly, the Azerbaijanis thought that ... the Armenians were people who could not raise their hand against the civilian population. We were able to break that [stereotype]” (ibid., p. 172).

Armenia venerates war criminals and convicted terrorists as heroes and even erects monuments to them. Moreover, the Government of Armenia openly threatens to commit further terrorist and armed attacks against populated areas and critical civilian infrastructure, such as water dams in Azerbaijan. The President of Armenia made yet another warmongering statement on 11 August 2014. Taking pride in Armenia’s destruction of Azerbaijani cities and the mass killings of Azerbaijanis in the occupied territories, he threatened to unleash ballistic missile attacks against Azerbaijan. In particular, the following citation from President Sargsyan speaks for itself: “We have ballistic missiles with an effective range of over 300 km, and ... they are capable of turning into ruins any flourishing settlement in a glimpse, like the ruins of [the Azerbaijani city of Aghdam]”. (President Serzh Sargsyan’s interview to ArmNews TV, the official site of the President of the Republic of Armenia. Available from www.president.am/en/interviews-and-press-conferences/item/2014/08/11/President-Serzh-Sargsyan-interview-Armnews-Sochi/.) That statement is a further solid piece of evidence testifying to the consistency of the official Yerevan policy of aggression, hatred and racial animosity.

Such statements by the high-ranking officials of Armenia, which have become more frequent in recent times, are not derailments or bluffs. Their authors are those who are responsible for brutal massacres during the war, which claimed the lives of thousands of Azerbaijani civilians, including children, women and the elderly. They have got a sense of impunity for their acts, which apparently leads them to commit further crimes.

While continuing denying its involvement and role in the conflict, the Government of Armenia openly claims its ownership and exercises effective control over the Nagorno-Karabakh region of the Republic of Azerbaijan.

In 1989 the Supreme Soviet (Parliament) of the Armenian Soviet Socialist Republic (SSR) adopted a resolution on the annexation of the Nagorno-Karabakh autonomous oblast of the Azerbaijani SSR to the Armenian SSR. The Declaration of Independence of Armenia makes a reference to that illegal document and the Declaration itself was incorporated in the constitutional framework of Armenia.

In its national security strategy of 2007 Armenia pretends “to act as a guarantor of the security of Nagorno-Karabakh”. No explanation is provided, however, as to how these guarantees, which affect a portion of Azerbaijan’s territory, fit into international law.

The entity, which Armenia tries to present as the “independent Nagorno-Karabakh Republic”, is nothing more than an occupation regime under the direct control of and fused with the Government of Armenia. All key figures of the puppet regime illegally established by Armenia in the occupied Nagorno-Karabakh region of Azerbaijan are in fact actors of the political system of Armenia. The incumbent President of Armenia (since 2008), Serzh Sargsyan, started his career as “Chairman” of the separatists’ “Self-Defence Forces Committee” from 1989 to 1993, a position which he left in 1993 in order to assume the mantle of Minister of Defence of Armenia. His predecessor, Robert Kocharyan, was the first “President” of the occupation regime, from 1994 to 1997. He then moved to Armenia and became its Prime Minister, and from 1998 to 2008 he served as President of Armenia. The career of the current Minister of Defence of Armenia, Seyran Ohanyan, is also striking, especially as far as his frequent service movements between Armenia and the occupied Nagorno-Karabakh region of Azerbaijan is concerned. Thus, he served in various positions in the “military command structures” in the occupied Nagorno-Karabakh region from 1992 to 1998, before being appointed as Commander of the 5th army corps of the Armed Forces of Armenia. The next year he was appointed “Minister of Defence” of the so-called “Nagorno-Karabakh Republic” (“NKR”), a position which he left in 2007 to become first Deputy Minister of Defence — Chief of General Staff of the Armed Forces of Armenia. Since 2008, Seyran Ohanyan has been serving as Minister of Defence of Armenia.

President Sargsyan’s allegations that Azerbaijan imposed a blockade on it are also groundless and aimed at distorting the situation on the ground. With its policy of territorial claims against almost all of its neighbours, territorial expansion and acquisition of territory by force, Armenia bears the sole responsibility for the current dire economic conditions it finds itself in. Self-imposed isolation from the regional economic projects and interruption of economic ties are a direct result of Armenia’s aggressive policy and occupation of the territories of Azerbaijan. While it may be noted that blockades are legal under international law, as codified in the Charter of the United Nations, this term is not relevant in the context presented by the Armenian side. The relevant Security Council resolutions on the Armenia-Azerbaijan conflict do not qualify as a blockade the physical interruption of transport and communications in the region, which occurred as a result of the aggression by Armenia. Council resolutions 853 (1993) and 874 (1993) established a direct linkage and the relationship of reciprocity between the restoration of economic, transport and energy links in the region and the immediate, complete and unconditional withdrawal of the Armenian occupying forces from the occupied territories of Azerbaijan, a condition that has not been yet fulfilled. In fact, the Armenian side — President Sargsyan himself — also accepted that settlement of the conflict is the first step for enabling economic cooperation. The joint declaration

signed by the Presidents of Armenia, Azerbaijan and the Russian Federation on 2 November 2008, in Meiendorf Castle, the Russian Federation, inter alia, states that signatories will work towards “a political settlement of the Nagorno-Karabakh conflict on the basis of principles and norms of international law and resolutions and documents adopted in this framework, that will create favorable conditions for economic development and all-encompassing cooperation in the region”.

In his speech, President Sargsyan also attempted to find parallels between the recent referendum in Scotland and the peace process on the settlement of the Armenia-Azerbaijan conflict. The vote in Scotland, which did not violate any laws and was conducted with the consent of the Government of the United Kingdom of Great Britain and Northern Ireland, has nothing in common with Armenia’s territorial claims, its use of force against the sovereignty and territorial integrity of Azerbaijan, forceful occupation of Azerbaijan’s territories and ethnic cleansing it committed against 1 million Azerbaijanis.

Armenia must accept that there is no military solution to the conflict. The infeasibility of the military solution first and foremost requires from Armenia that it terminate its use of military force against the sovereignty and territorial integrity of Azerbaijan, and return the occupied territories to Azerbaijan. The President of Armenia needs to grasp that the only way to achieve the soonest resolution of the conflict is to engage in negotiations in good faith with Azerbaijan and to withdraw his troops from Azerbaijani territories.
