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Confidence-building measures in the regional and subregional context

Report of the Secretary-General

Addendum*

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* The information contained in the addendum was received after the deadline for the submission of the main report.



II. Replies received from Governments

Azerbaijan

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General

Confidence- and security-building measures are valuable tools in fostering trust and security among States. The implementation of such measures should take place in a manner that ensures the right of each State to equal security, guaranteeing that no individual State or group of States obtains advantages over others.

Together with the existing arms control regimes, confidence- and security-building measures serve as complementary tools in enhancing the level of security among States at the international, regional and subregional levels. It should be made clear that these measures are not a static invention framed in a “one-size-fits-all” approach, but that they are a set of activities, the geography, form and sphere of application of which vary depending on the level of inter-State relations within certain regional and subregional contexts.

Azerbaijan continues its consistent efforts at the multilateral and bilateral levels to ensure closer coordination and cooperation in the implementation of its obligations in the areas of arms control, non-proliferation, disarmament and confidence- and security-building measures. As a participating State of the Organization for Security and Cooperation in Europe (OSCE), Azerbaijan regularly engages in information-sharing, submits reports and receives on-site inspections, as well as evaluation and observation visits, under the OSCEVienna Document 2011 on Confidence- and Security-Building Measures, the Code of Conduct on Politico-Military Aspects of Security, the OSCE Document on Small Arms and Light Weapons and the Principles Governing Conventional Arms Transfers, among others.

Obstacles to the effective application of confidence- and security-building measures in the South Caucasus region

Confidence- and security-building measures cannot be taken out of the overall political and security context, in particular when conflict situations are viewed as the possible area of application. Although it is recognized that arms control and confidence- and security-building measures had a positive influence on the overall political stability and security environment in the OSCE area, they nevertheless failed to effectively contribute in conflict situations, especially in the region of the South Caucasus. Albeit deplorable, this should have been quite an expected result, given, on the one hand, a stark contrast between the stated words and actual deeds on the ground by States and, on the other hand, a total absence of respect for the basic norms and principles of international law that guide inter-State relations. Therefore, confidence- and security-building measures can be effective only when there is a genuine commitment on the part of States to peace and stability, supported by concrete actions that enjoy confidence.

In its resolution [67/61](#), the General Assembly called upon Member States to refrain from the use or threat of use of force in accordance with the purposes and

principles of the Charter of the United Nations and to settle their disputes by peaceful means. The consistent and wilful disregard by Armenia for these and other international legal obligations undermines peace, security and stability in the region of the South Caucasus. Indeed, Armenia has flagrantly violated its obligations by using military force to occupy the territory of Azerbaijan, carry out ethnic cleansing there and establish on the occupied territory the ethnically constructed subordinate separatist entity. In its resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), the Security Council condemned the occupation of the territories of Azerbaijan, reaffirmed the sovereignty and territorial integrity of Azerbaijan and the inviolability of the internationally recognized borders and demanded the immediate, full and unconditional withdrawal of the occupying forces from all the occupied territories of Azerbaijan. The General Assembly and other international entities have adopted a similar position. Unfortunately, none of the aforementioned resolutions has been implemented by Armenia.

Against this background, in gross violation of the Treaty on Conventional Armed Forces in Europe, to which it is a party, Armenia continues its military build-up in the occupied territories of Azerbaijan. The cumulative number of pieces of declared and undeclared equipment of Armenia stationed within its territory and in the occupied territories of Azerbaijan has far exceeded the ceilings allowed under the Treaty.

A comparative analysis of the population, territory, annual budget and gross domestic product of Armenia vis-à-vis its annual military expenditures, military personnel, quantity of procured armaments and received foreign military assistance shows that Armenia is the most militarized country of the South Caucasus. Armenia regularly conducts, in the occupied territories of Azerbaijan, large-scale military exercises that are attended by the President, the Minister of Defence and other high-level officials of Armenia.

A number of other measures are being undertaken by Armenia to consolidate the status quo of the occupation and the results of ethnic cleansing carried out against the local Azerbaijani population. Regular ceasefire violations and deliberate attacks by the armed forces of Armenia against Azerbaijani civilians and civilian objects are becoming more frequent and violent, resulting in the killing and maiming of many civilians residing near the front line. On a number of occasions, such attacks and other provocative actions have coincided with the intensification of peace efforts.

Furthermore, the forcible displacement of hundreds of thousands of Azerbaijanis from the occupied territories, the refusal to agree to their return, uninterrupted attempts to alter the demographic balance, the destruction and appropriation of Azerbaijani historical and cultural heritage and other illegal activities carried out in the occupied territories can in no way contribute to building confidence, overcoming mistrust and bringing a negotiated solution closer. In addition, an open propaganda by the leadership of Armenia of the odious ideas of racial superiority, ethnic and religious incompatibility and hatred towards Azerbaijan and other neighbouring nations, as well as the open incitement of the youth and future generations in Armenia to new wars and violence, pose a serious threat to regional and international peace, security and stability, and require the constant attention and reaction of the United Nations and the broader international community.

The attempts of Armenia to mislead the international community by making calls for the initiation of various confidence- and security-building measures with Azerbaijan, including in the military and economic spheres, are counterproductive. Armenia must first demonstrate in deeds its constructiveness regarding a negotiated settlement of the conflict and respect for international law by withdrawing its armed forces from the occupied territories of Azerbaijan, thus paving the way for the effective implementation of full-fledged and meaningful confidence- and security-building measures in the South Caucasus region.

It should also be remembered that the most serious crimes of concern to the international community have been committed in the course of the aggression of Armenia against Azerbaijan. Therefore, efforts aimed at ending impunity are essential for ensuring sustainable peace, truth, reconciliation, the rights and interests of victims and the well-being of society at large. Azerbaijan is confident that sustained measures undertaken at the national level, together with the existing legal foundations for the judicial prosecution and punishment of serious international crimes, will help to bring to justice all those responsible for committing such crimes against Azerbaijani civilians, provided, inter alia, that their authors will be unable to shelter themselves behind their official position in order to be freed from punishment in appropriate proceedings.

Azerbaijan sincerely believes that there is no alternative to the rule of law, justice, peace, stability and mutually beneficial regional cooperation and, in close cooperation with its international partners, will continue to do its utmost to contribute further to that effect.
