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**Comprehensive and balanced approaches to prevent and
adequately respond to new and emerging forms of
transnational crime**

Statement submitted by the Government of Azerbaijan**

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Position Paper by the Delegation of the Republic of Azerbaijan under agenda item 5 of the 13th United Nations Congress on Crime Prevention and Criminal Justice

Proceeding from the discussions under agenda item 5 of the United Nations Congress on Crime Prevention and Criminal Justice, entitled “comprehensive and balanced approaches to prevent and adequately respond to new and emerging forms of transnational crime” the delegation of the Republic of Azerbaijan would like to draw the attention of the distinguished delegates of the United Nations Member States to the following:

As confirmed by the “Doha Declaration” adopted by consensus of United Nations Member States, conflict and post-conflict situations provide particularly vulnerable conditions conducive to the occurrence and growth of various kinds of criminal activities, including those of transnational nature.

The ongoing armed conflict in and around the Nagorno-Karabakh region of the Republic of Azerbaijan has resulted in the occupation of almost one fifth of its territories by the Republic of Armenia and has made approximately one out of every nine persons in the country an internally displaced person or a refugee. As a result of occupation, ethnically constructed subordinate separatist entity was established by Armenia in the occupied Azerbaijani territories.

It has been internationally recognized that the territories of Azerbaijan are under occupation. In 1993, the United Nations Security Council adopted resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), condemning the use of force against Azerbaijan and occupation of its territories and reaffirming the sovereignty and territorial integrity of Azerbaijan and the inviolability of its internationally recognized borders. The United Nations General Assembly adopted three resolutions on the conflict and included the special item entitled “The situation in the occupied territories of Azerbaijan” in the agenda of its regular sessions. Other international organizations have adopted a similar position.

The illegality of the separatist entity and its structures, established by Armenia in the occupied territories of Azerbaijan, has been repeatedly stated at the international level. Various illegal activities in the occupied territories that are beyond the legitimate control of the central authorities of Azerbaijan, including illegal economic activities involving serious financial, corporate and tax crimes, money laundering, as well trafficking of drugs, firearms, cultural property, illegal mining and looting clearly testify to the intention of the Republic of Armenia to convert these territories to a safe haven for criminals.

The financial resources acquired as a result of above-mentioned criminal activities in the occupied territories, as well as transactions, investments and infrastructure changes made in respect of the Nagorno-Karabakh region and other occupied territories of Azerbaijan are mostly used for consolidating the occupation, as well as for financing various organized criminal activities, including for financing of terrorism.

The Government of the Republic of Azerbaijan requests the Governments of the United Nations Member States to take into account the following and inform their citizens, companies and other entities as widely as possible that:

(i) Whatever the purpose, reason and circumstances, any visits by third-country nationals to the Nagorno-Karabakh region and other occupied territories of Azerbaijan constitute a violation of the legislation of Azerbaijan, in particular the Law on the State Border of the Republic of Azerbaijan;

(ii) Any transactions entered into Armenia, its organs, natural and legal persons as well as with its subordinate separatist regime or any other individuals in relation to the Nagorno-Karabakh region and other occupied territories of Azerbaijan are unlawful due to applicable international law, the legislation of Azerbaijan and the illegality of the separatist regime established by Armenia on the occupied territories;

(iii) Third-country nationals visiting the Nagorno-Karabakh region and other occupied territories of Azerbaijan are included in the list of those whose entry to Azerbaijan is denied. Such visitors, companies and other entities entered in transactions with Armenia, its organs, natural and legal persons as well as with its subordinate separatist regime or any other individuals in relation to the Nagorno-Karabakh region and other occupied territories of Azerbaijan run a risk of facing appropriate legal proceedings, including in the form of administrative or criminal prosecution. Under international law activities in the occupied territories may be qualified as war crimes that entail criminal liability;

(iv) Those involved in transactions perform at their own risk. Azerbaijan, the only country possessing the internationally recognized sovereignty over those territories, will never recognize such activities; their protection will not be provided through regular diplomatic and consular channels; they will not be legitimized after the final resolution of the conflict and all agreements which provide the basis for altering the physical integrity and ownership of such property will be challenged and abrogated once Azerbaijani sovereignty over the occupied territories is restored.

In that regard, the Government of the Republic of Azerbaijan requests the Governments of the United Nations Member States not to allow imports/exports, sale and realization of any products produced in the Nagorno-Karabakh region and other occupied territories of Azerbaijan or products which were produced through utilization of resources shipped from those territories, as well as not to allow any sort of advertising and marketing activities under whatever label of products originating from there.

The Government of the Republic of Azerbaijan further requests the Governments of the United Nations Member States to take effective measures to prevent its natural and legal persons from engaging in any activities in the Nagorno-Karabakh region and other occupied territories of Azerbaijan and would continue advising its citizens against visiting those areas, including through issuing special instructions, guidance and travel warnings to that effect.