

**Fourteenth United Nations Congress
on Crime Prevention and Criminal Justice
Kyoto, Japan, 7–12 March 2021**

Agenda item 6(a)

**International cooperation and technical assistance
to prevent and address all forms of crime:
terrorism in all its forms and manifestations**

Position paper submitted by the delegation of the Republic of Armenia

With a view of the discussions under agenda item 6 (a) of the 14th United Nations Congress on Crime Prevention and Criminal Justice, entitled “International cooperation and technical assistance to prevent and address all forms of crime: Terrorism in all its forms and manifestations” the delegation of the Republic of Armenia would like to invite the attention of the distinguished delegates of the UN Member States to the following:

The threat of terrorism in all its forms and manifestations has always been and continues to remain at the center of international cooperative efforts, and there exists a developed international toolkit - a sophisticated and robust international legal framework with a number of conventions, UN General Assembly and Security Council Resolutions on countering terrorism. At the same time, no matter how robust the existing mechanisms and instruments are, we continue to suffer from this scourge, since terrorism constantly evolves and transforms in pace with the development of our societies. Its increasingly transnational nature requires cooperation at all levels - bilateral, regional and international - to prevent and combat terrorism.

Another factor that considerably impacts the international efforts to combat terrorism is the dynamics of international relations, and trends and developments of the international system.

Notably, in recent years the issue of foreign terrorist fighters and their use as guns-for-hire and mercenaries in various conflict situations received a particular relevance requiring urgent response from the international community.

While the issue of foreign terrorist fighters primarily emerged due to the radicalization of individuals, mostly in the developed countries and their subsequent travel to conflict zones, currently we are witnessing the rapid evolution of the concept of FTFs, particularly in the wider region of the Middle East, which has long been affected by armed conflicts.

The institutionalization of foreign terrorist fighters has given rise to the new form of FTFs, i.e. use of them as mercenaries in some conflict situations. The latter are being recruited in different parts of the volatile region of the wider Middle East, trained and subsequently deployed to conflict areas as proxy armies to advance the foreign policy objectives of certain states.

Notably, illegal recruitment centers are established and operate in the war-torn countries of the Middle East, which carry out massive recruitment of foreign terrorist fighters with affiliations to well known terrorist organizations, such as the ISIL, Al-Qaida, Al- Nusra Front.

In some cases this recruitment scheme includes also a number of other criminal dimensions such as smuggling and trafficking in persons, since prospective FTFs are recruited also from among vulnerable groups, such as people living in refugee camps.

In order to prepare those foreign terrorist fighters for a proper engagement as mercenaries in the armed conflicts a number of clandestine training bases have been established, in particular in the territory of the transit country or the country of origin to carry out necessary training of the FTFs before their deployment to the area of armed conflict.

Starting from summer of 2020 Turkey backed companies and groups were engaged in recruitment of foreign terrorist fighters in the Syrian Afrin region, who were then smuggled, either in small groups, using civilian vehicles, or in large numbers on board of airplane, through international borders to travel from their country of origin through the transit country - Turkey - to the place of the final deployment in the third country - Azerbaijan - to engage in the war launched on September 27, 2020 by Azerbaijan and Turkey against the Republic of Artsakh (Nagorno-Karabakh) and its people (Please, see the full factsheet in the Annex).

Between July to September, 2020, around 4000 foreign terrorist fighters were transported to Azerbaijan, mainly members of the **Sultan Murad brigade, Hamza division, Sham Legion**. Azerbaijan and Turkey recruited, financed, trained and relocated foreign terrorist fighters to Azerbaijan and integrated them into the ranks of the armed forces of Azerbaijan.

In some cases the terrorist fighters were deceived regarding the purpose of their transfer to the final destination, as well as were offered financial benefits, clearly abusing their vulnerable situation in the refugee camps, which is a crime with many elements of human trafficking and represents the convergence of two distinct crimes, i.e. terrorism and trafficking in persons.

In order to successfully carry out the above-mentioned operations, necessary financial and logistical support was provided through different persons and organizations involved in bulk cash smuggling and money laundering, as well as abusing the non-profit organizations of social, cultural and charitable character.

The foreign terrorist fighters engaged as mercenaries in the armed conflict were provided with necessary weapons and ammunition, which is a clear case of diversion of small arms and light weapons to the terrorists.

Those actions have been carried out in gross violation of all international norms and obligations, including the UN General Assembly Resolutions and UN Security Council resolution 2178, 2396, 2368, 2462, 2482, 2498, 2544 and other relevant resolutions on counter terrorism and counter terrorism financing, the International Convention for the Suppression of Financing of Terrorism, UN Convention against the Recruitment, Use, Financing and Training of Mercenaries, as well as other relevant international conventions against terrorism.

Against this backdrop, Armenia strongly believes that more robust international cooperation is required to identify, prosecute, and punish those who have been engaged in planning and perpetration of such crimes, including facilitating the foreign terrorist fighters engagement in the armed conflict. We need to make sure that the existing international mechanisms and networks are well prepared and adapted to promptly react to such evolution and transformation of terrorism and the concept of foreign terrorist fighters in particular.

In this context, Armenia welcomes the Kyoto Declaration, which extensively addresses the crime of terrorism, including the need “to prevent and tackle financial and logistical support to terrorism in all its forms and manifestations and prevent terrorists from acquiring weapons, in compliance with obligations under applicable international law”.

Armenia is ready to work with all interested international partners to strengthen our joint and shared responsibility and efforts to fight the scourge of terrorism all over the world and bring those who are complicit to this heinous crime to justice.

Fact-sheet on the use of FTFs by Azerbaijan and Turkey in the war unleashed by Azerbaijan against Artsakh (Nagorno-Karabakh) since September 27, 2020

1. The non-exhaustive list of information and evidence regarding the involvement of foreign terrorist fighters (FTFs) in the war:
 - A large number of islamist militants that have fought in Syria have been transported from Turkey to Nakhijevan (Azerbaijan) in February-March 2020 through various routes. A large group of islamists have been located in Sumgayit wandering in the city dressed in similar clothes as the islamist fighters in northern part of Syria.
 - According to the information obtained in May 2020, a large number of islamist militants, who had fought in Syria, have been transferred to Khelech village of Nakhijevan and surrounding settlements. They were transported to Nakhijevan from the territory of Turkey.
 - Several recruitment bureaus were opened in northern Syria in areas under the control of Turkish forces in order to attract young males and turn them into mercenaries fighting abroad, including the following bureaus:
 - o Afrin bureau in northern Aleppo
 - o A bureau under Al-Hamzat Division's supervision
 - o A bureau run by "Al-Jabha Al-Shamiyyah"
 - o A bureau run by Al-Mu'tasem Division in Qibariyyah village.
 - o A bureau under Liwaa Al-Shamal's supervision in Al-Mahmoudiyyah neighbourhood
 - In August 2020, members of terrorist groups had been recruited from the Syrian regions of Afrin and Idlib in order to be relocated to Azerbaijan and Libya under the command of 35 commanders. Each transferred fighter has been promised 1500-2500 USD monthly payment. Turkey has offered extra services warranted by the country they were fighting in, as well as granting Turkish citizenship.
 - Once a week, each Saturday, groups from the FTF recruiting stations in Afrin were transported to Azerbaijan and Libya. Recruitment offices have been also operating in Syria's A`zaz region to dispatch fighters to Azerbaijan.
 - The logistics were handled by SADAT, a Turkish private defence contractor owned by Adnan Tanriverdi, former chief military counsellor of the President of Turkey. A person called Khalid Turkmani Abo Suleiman, a Turkoman commander from the Sultan Murad faciton has acted as liaison between the SADAT and Azerbaijan in Nagorno-Karabakh.
 - Members of terrorist groups were first transferred to Turkey and then to Azerbaijan, traveling normally in groups of 10 to 15 persons. A military base was established in the Antakya region of Turkey serving as a gathering point for terrorist groups to be dispatched to Azerbaijan.
 - 250-300 Uyghur mercenaries travelled to Azerbaijan in mid-September from Turkey's Antakya airport, along with their families.
 - On September 22, 2020, an office for the recruitment of terrorist fighters was set up within the territories of Syria which are under the control of Turkey, at the Taftanaz military Airbase, in order to transfer them to Azerbaijan. The terrorist fighters were selected from

among Syrian refugees, local and foreign fighters and transferred to Azerbaijan. It was planned to transfer to Azerbaijan 3 groups, comprising 1000 fighters each. The fighters have been offered 1800 USD monthly in exchange for engaging in military operations against Armenians on the side of Azerbaijan for a three-month term. It was planned to send a group of 1000 fighters to Turkey and, subsequently, to Azerbaijan in three phases, within the period from 27 to 30 September 2020. Additionally, a group of 150 suicide terrorists capable of making hand-made explosive devices and determined to carry out any terrorist act has been transferred to Azerbaijan on September 30, 2020.

- A group, mainly consisting of fighters from “Sultan Murad Brigade” terrorist faction, has been transported from Bülbül settlement of the Syrian Afrin region (bordering with Turkey) to Turkey on September 23 for subsequent transfer to Azerbaijan.
- In September 2020, approximately 1000 fighters recruited from different terrorist groups were taking military training in the military base located in the El-Bab province of Syria. The training was terminated on September 25, 2020, after which (in early October) all fighters were transferred to Turkey and then to Azerbaijan.
- On September 28, 2020, approximately 1000 fighters from “Syrian National Army” travelled to Azerbaijan from one of the airports [located] in the vicinity of the Kilis city of Turkey.
- On September 28, 2020, the leader of one of the Syrian opposition groups had informed that around 150 fighters from groups associated with the “Jabhat Al-Nusrah” terrorist organization's core unit, had been transported to Azerbaijan via Turkey.
- Fighters who have already taken part in the hostilities on the line of contact between the Karabakh and Azerbaijan, were sending messages to their relatives and comrades-in-arms urging them to be cautious when agreeing to travel to Azerbaijan “as they cannot imagine what a hell was happening on the battlefield”. They were telling that the Azerbaijani armed forces are sending them to the most dangerous areas of the battle.
- Some of fighters sent to Azerbaijan were not even aware that Azerbaijan is a Shia muslim country, and discovering this fact prompted many fighters to abandon the battlefields and return to Syria.
- Syrian mercenaries have been deceived on many occasions, as those mercenaries sent to Azerbaijan were told that they would be kept away from military operations and their tasks would be confined to guarding Azerbaijani oil installations which had contracts with Turkey. Accordingly, they were transported to Turkey, then to Azerbaijan, but later found out that they were thrown into violent clashes on the frontlines in Nagorno-Karabakh.
- A representative of the “Syrian National Army” had issued a fatwa classifying the fighting in Azerbaijan as Jihad (collective duty in Islam).
- On September 30, 2020, conversations of the Azerbaijani side regarding the course of hostilities were intercepted providing evidence on the Turkish involvement in the conflict both in terms of the use of military aviation as well as in the context of the Arab-speaking and Turkoman terrorist fighters' participation. Azerbaijani and Arabic conversations have also been recorded, whereby Azerbaijani servicemen and commanders spoke of the situation in combat positions, exhaustion of Turkomans’ ammunitions, the wounded among them and assistance provided to them. One of the Azerbaijanis instructed his interlocutor to hand over the communication device to Mahmud from among the Turkomans.
- During hostilities in Artsakh two Syrian arab fighters were wounded and taken hostage and during their interrogation provided ample information and evidence on the process of their recruitment and engagement in the conflict. The following were the conditions of their deployment in Azerbaijan:

- Mission stated during recruitment - security, monitoring (particularly, protection of the oil infrastructure);
 - Salary – 1500-2500 USD/monthly
 - Term - six-month (with the option to be renewed once), rotation after 6 months.
 - Age requirements for candidates – 18-40.
 - The majority of volunteers were recruited from the following groups: “Sultan Murad”, “Sultan Suleyman Shah” and “Al-Hamza”.
 - In some cases, people from refugee camps in Syria were also recruited. Due to the harsh living conditions in Northern Syria, the core motivation for their recruitment was the relatively high payment.
 - Recruitment was held in centers located in the northern part of the Aleppo province which were under control of the “Sultan Murad”, “Sultan Suleyman Shah” and “Al-Hamza”. Several terrorist fighters were also registered in the Hawar Kilis military base (on the Syrian-Turkish border).
 - The recruited persons were transported from the north of Syria to Turkey, from where they went by plane to Azerbaijan.
- One of the hostage foreign terrorist fighters also informed during the interrogation that in Azerbaijan when they were thrown into the battlefield they were promised to be paid additional 100 USD for each chopped head of an Armenian

2. The criminal mechanisms used to recruit and transport FTFs from Syria to Turkey and afterwards to Azerbaijan to participate in the armed aggression of Azerbaijan against the people of Artsakh (Nagorno-Karabakh):

- illegal recruitment centers were operating in different areas, mostly in northern part of Syria;
- the recruited terrorist fighters took military trainings in different military bases and camps in northern Syria and in the territory of Turkey;
- the recruited mercenaries passed state borders of Syria, Turkey and Azerbaijan, most probably through different smuggling mechanisms, either in small groups, using civilian vehicles, or in large numbers on board of airplane;
- in some cases the mercenaries were deceived regarding the purpose of their transfer to Azerbaijan, as well as offering financial benefits, abusing their vulnerable situation in the refugee camps in northern Syria;
- bulk cash flows and money laundering schemes were beyond any reasonable doubt employed in order to provide financial and logistical support for the recruitment and transfer of mercenaries to the conflict zone and to engage them in the armed conflict on the side of the armed forces of Azerbaijan;
- the FTFs, who were used as mercenaries, engaged in the armed conflict and were provided with necessary weapons and ammunition, which is a clear case of diversion of small arms and light weapons to terrorists.