

DELEGATION OF THE REPUBLIC OF AZERBAIJAN

Position paper on the use of foreign terrorist fighters by Armenia in the course of its aggression against the Republic of Azerbaijan starting from 27 September 2020

In 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: new and emerging forms of crime” the delegation of the Republic of Azerbaijan would like to draw the attention of the distinguished delegates of the UN Member States to the following:

The Republic of Azerbaijan, as a country suffering from terrorism over many years is determined to fight against terrorism in all its forms and manifestations.

In blatant violation of international law and the relevant UN Security Council resolutions, Armenia kept under occupation the internationally recognized territories of Azerbaijan for almost 30 years. As a result of Armenian aggression, hundreds of thousands of Azerbaijanis were forcefully expelled from their homes and became internally displaced persons.

Over the years, Armenia systematically and deliberately pursued the goal of cementing the occupation and tried to secure the annexation of the seized Azerbaijani territories, illegally transferred of settlers and foreign terrorist fighters (FTFs) from different conflict zones of the world into the previously occupied territories of Azerbaijan.

The Government of Armenia provided accommodation, training and logistical maintenance of FTFs in the formerly occupied territories of Azerbaijan and prepared them for terrorist and combat operations against Azerbaijan. The transfer of FTFs intensified immediately after Armenia had perpetrated another act of aggression against Azerbaijan starting from 27 September 2020.

In the course of recent military aggression against Azerbaijan, Armenia recruited foreign nationals from different countries into its armed units and unlawfully deployed them in the formerly occupied territories of Azerbaijan.

Immediately after the outbreak of the hostilities on 27 September 2020, the leadership of Armenia appealed to all Armenians, including foreign nationals of Armenian origin, to stand united in defense of the “homeland”. In his interview to Ria Novosti on 15 October 2020, the leadership of Armenia confirmed the participation of foreign nationals, including those of Armenian origin, in the combat operations against Azerbaijan.

It must be particularly noted that, what the leadership of Armenia called the “homeland” was the sovereign territory of Azerbaijan under Armenia’s unlawful occupation. In response to the new act of aggression, Azerbaijan had undertaken counter offensive measures, in the exercise of its inherent right to self-defense.

Azerbaijan acted exclusively on its sovereign soil to protect its civilian population, liberate the occupied territories from aggressors and terrorists and ensure the safe and dignified return of 750 thousand internally displaced persons to their homes.

The evidence gleaned before, during and after the hostilities leaves no doubt as to the organized recruitment of mercenaries and FTF's by Armenia and their transfer to the conflict zone for using in combats against Azerbaijan and its civilian population.

Armenia has a long history of using FTFs to advance its malign foreign and security policy goals. Such terrorist organizations as the Armenian Secret Army for the Liberation of Armenia (ASALA) and Justice Commandos of the Armenian Genocide (JCAG) have been actively involved in aggression against Azerbaijan in early 1990s. Among them is Monte Melkonyan, a notorious ASALA terrorist which actively participated in the conflict with his armed group and was posthumously named a national hero of Armenia.

In an attempt to divert the attention of the International community from its own crimes and justify heavy losses inflicted on its armed forces on the battlefield Armenia brazenly accused Azerbaijan of the use of FTFs and waged a scaled campaign of disseminating fake news to that end. However, professional analysis of various video and photo materials shared to substantiate Armenia's claims clearly testifies to their fabricated content and nature.

Azerbaijan has repeatedly brought the attention of world community the threats and challenges emanating from Armenia's unlawful action. In its communications, Azerbaijan called on all States to condemn Armenia for its illegal settlement policy in the formerly occupied territories of Azerbaijan, strengthen border control measures for preventing the transfer of FTFs into the territories of Azerbaijan, suppress the financing of terrorism carried out under the cover of charity activities by Armenian diaspora organizations and prevent the abuse of civil aviation for transporting FTFs and armament to the previously occupied territories of Azerbaijan.

Armenia bears international legal liability for bringing terrorist groups and individuals into occupied territories of Azerbaijan and for organizing and conducting terrorist and related activities against Azerbaijan and its civilians.

Both international humanitarian law and international human rights law require that States take appropriate measures to bring perpetrators of such violations to justice and provide effective remedies to victims.

In addition to their obligations deriving from international law and national legislations the States of origin should bear in mind that, FTFs taking part in military operations on return to their countries would pose a serious threat to their own societies.

In view of the above mentioned, the Republic of Azerbaijan strongly urges the respective authorities of all States, origin or transit, to identify and bring to justice all their nationals involved in military hostilities against the Republic of Azerbaijan during the recent war between Armenia and Azerbaijan starting from 27 September 2020.

The Republic of Azerbaijan is determined to take all necessary measures stemming from its rights under relevant bilateral and multilateral mechanisms to bring all those individuals into justice.