



**Statement by the Delegation of the Republic of Azerbaijan
1096th Meeting of the Permanent Council,
14 April 2016**

Mme. Chairperson,

The Delegation of the Republic of Azerbaijan deeply regrets that the Armenian side misuses the OSCE for spreading false allegations against Azerbaijan.

Armenia-initiated military escalation accompanied by attacks against Azerbaijani civilians with heavy artillery and large-caliber weapons is equal to war crimes and crime against humanity.

Armenian provocation has received a powerful response from the Azerbaijani Army. In aftermath, the Armenian side launched speculations on alleged ill-treatment of Armenian soldiers fallen on the territory of Azerbaijan as well as violations of the norms of the international humanitarian law by Azerbaijan. The mere purpose of these speculations pursued by the Government of Armenia was to distract attention of its own population from failures and to avoid the responsibility for committed crimes. Out of 92 military personnel officially declared by the Armenian side as killed in the recent clashes, more than 80 percent were servants of the armed forces of the Republic of Armenia as reported by the Armenian Ministry of Defense. This is yet another proof of Armenia's direct involvement in the occupation of the Azerbaijani territories and its effective control over these territories as the occupying power.

As the result of the Armenian offensive, the Azerbaijani militaries suffered many casualties and injuries. Perished Azerbaijani soldiers were subjected to the acts of ill-treatment committed by Armenia on the territories under control of the Armenian Armed Forces. These actions constitute gross violation of basic norms of international humanitarian law, in particular provisions of the Geneva Conventions of 1949 and its Additional Protocols. Article 15 of the First Geneva Conventions of 1949; Article 18 of the Second Geneva Convention; Article 16 of the Forth Geneva Convention and Article 34 (1) of the First Protocol to the Geneva Convention *prohibit dead from being despoiled and obliges parties to the conflict to respect remains of the deceased who have died for reasons related to conflict.*

On April 9, 2016 the International Committee of the Red Cross facilitated the return of the remains of the deceased Azerbaijani soldiers from Armenian side. The Military Prosecutor Office of the Republic of Azerbaijan and the forensic medical examination registered numerous signs of ill-treatment on the bodies

of deceased soldiers, including pocked eyes, injuries with blunt instruments, damaged scalps, cut ears, broken bones and ripped mouth.

Based on these facts and information on the committed crimes an investigation has been launched in line with the relevant articles of the Criminal Code of the Republic of Azerbaijan.

Mme. Chair,

In general, the Armenian-initiated provocation, which resulted in outbreak of large-scale military operation, was aimed at undermining the peace process and whatever understandings and achievements reached under OSCE Minsk Group auspices. Unlike the Armenian-controlled side of the LoC, on our side the residential areas are in close vicinity to LoC and civilian population has been increasingly targeted by Armenia. To counter the provocation and to ensure safety of civilian population, the Armed Forces Command of the Republic of Azerbaijan had taken effective counter-measures.

The Azerbaijani side welcomes the mediation efforts of the Russian Federation that helped reaching agreement on restoration of cease-fire at level of the Chiefs of General Staff of the Republic of Azerbaijan and the Republic of Armenia in Moscow on April 5, 2016. The Republic of Azerbaijan categorically rejects the attempts by Armenia to deviate from responsibility for its material breach of the ceasefire established in 1994. The Republic of Azerbaijan also firmly rejects Armenia's apparent attempt to downplay the importance and misinterpret the substance of the agreement reached in Moscow, on April 5, 2016, on establishing ceasefire. The fact that an agreement is concluded between States not in written form shall not affect the validity of such agreements.

We reiterate our call to the OSCE participating States and its Minsk Group to persuade Armenia to strictly abide by the cease-fire, as we observe the attempts of the Armenian side to regroup its forces and to retake the positions it lost, instead of engaging in negotiations constructively.

Azerbaijan has repeatedly echoed the statements of the Presidents of the Co-chair countries who emphasize that status quo is unacceptable and unsustainable. I would like to reiterate the message of the OSCE Chairman-in-Office Foreign Minister Steinmeier delivered to President Sargsyan in Berlin that "anyone who opts to maintain the current status quo is risking recurring eruptions of violence at irregular intervals".

Continued occupation of the territories of Azerbaijan by the Armenian troops is the main source of violence. Events of the beginning of April proved that in absence of meaningful negotiations, reliance on the fragile cease-fire regime is a miscalculation. Withdrawal of Armenian troops would allow addressing political issues related to comprehensive settlement of the conflict.

Azerbaijan strongly supports the appeal of Co-Chairmen of the OSCE Minsk Group addressed to the sides to immediately enter into negotiations that will lead to settlement of the conflict. We are ready for effective negotiations on the basis of the elements, which have been so far elaborated and aimed at eliminating the impediments to political solution of the conflict.

Azerbaijan reiterates its support to the Joint Statements by Presidents of the Co-chair countries made in L'Aquila and Muskoka that a lasting settlement of the conflict must be based upon the Helsinki Final Act principles and six elements, including the return of all occupied territories to Azerbaijani control, return of all displaced Azerbaijani population to their places of origin and international security guarantees that would include a multinational peacekeeping operation in accordance with OSCE Budapest Summit Decision of 1994.

Thank you.