



**Statement by the Delegation of the Republic of Azerbaijan  
823<sup>rd</sup> Meeting of the Forum for Security Cooperation,  
15 June 2016**

*in response to President of International Criminal Court*

Mr. Chairperson,

The Delegation of the Republic of Azerbaijan warmly welcomes H.E. Silvia Fernandez de Gurmendi, the President of the International Criminal Court, to the Meeting of the Forum for Security Cooperation and thanks her for insightful and thought-provoking presentation. We also thank the Polish Chairmanship for organizing security dialogue on this very important topic.

We proceed from strong understanding that there can be no peace without justice and no peace settlement can be reached that is inconsistent with international law, in particular with the obligation of States to respect each other's territorial integrity and sovereignty. It is also essential that peace efforts strongly reject *fait accompli* situations and never encourage the acceptance of situations achieved by the unlawful use of force and other egregious violations of international law, such as war crimes, crimes against humanity and ethnic cleansing.

In this context, we highly value the role of the International Criminal Court in promoting the rule of law in international relations and closely follow its activities in combating impunity for violations of international law. We are especially pleased with the decision to amend the Rome Statute to include a definition of the crime of aggression, as well as the condition for the Court's jurisdiction over that crime. The crime of aggression is the most serious and dangerous form of the illegal use of force between the States and we believe that the competence of the ICC to investigate and prosecute those suspected of the crime of aggression will contribute to ensure accountability of States and individuals acting in breach of international law, undermining the sovereignty and territorial integrity of States. It is imperative that no official or political status is abused for securing immunity for the most serious crimes.

Azerbaijan firmly believes in necessity of properly addressing the egregious violations of international law, including the violation of human rights and international humanitarian law and providing effective and adequate reparation to their victims. Institutional action to prevent the recurrence of such violations is undeniable prerequisite for maintenance of international peace and security. This is of paramount importance in the context of efforts to pursue post-conflict justice, especially in those situations where the prevailing culture of impunity for serious crimes, such as acts of genocide and ethnic cleansing represents a considerable obstacle to peace and security.

In situations of protracted armed conflict, the lack of agreement on political issues cannot be used as a pretext for not addressing problems caused by continued and deliberate disrespect for international humanitarian and human rights law. Particular consideration must be given to implications for the protection of civilians in armed conflicts aggravated by population displacements and foreign military occupation. The impact of conflicts on housing, land and property, as well as discrimination on ethnic grounds and forced demographic changes in such situations, require a more consistent approach in order to put an end to illegal practices and policies of settlements in the territories under occupation and to ensure the safe and dignified return of displaced populations to their homes.

Combating impunity is important not only for the purpose of prosecuting crimes and bringing those responsible to justice, but also to ensure sustainable peace and reconciliation. We are of the strong view that this understanding should guide our discussions within the OSCE on the issues related to building trust and confidence among the participating States and should be duly taken into account by the relevant structures and formats in their efforts of finding durable solution to the conflict situations.

In this context, we would be interested in hearing the views of Mme. President on possible areas where the ICC can contribute to the conflict resolution efforts of the OSCE.

In conclusion, we once again thank Mme. President for her presence at the FSC and wish her every success in her future endeavors.

Thank you, Mr. Chairperson.