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**Statement by the Delegation of the Republic of Azerbaijan
1288th Meeting of the Permanent Council,
05 November 2020**

*Aggression of Armenia against Azerbaijan and situation
in the occupied territories of Azerbaijan*

Mr. Chairperson,

The Delegation of Azerbaijan would like to update the Permanent Council on the ongoing aggression of Armenia against Azerbaijan and its consequences as well as situation in the occupied territories of Azerbaijan in the reporting period since the last meeting of the Permanent Council on 29 October.

At the most recent meeting of Foreign Ministers of Armenia and Azerbaijan with Co-Chairs of the OSCE Minsk Group held on 30 October in Geneva, the Co-Chairs once again called on the sides to implement their commitments, including on a humanitarian ceasefire agreed on 10 October in Moscow and reaffirmed by the mediation efforts of Paris on 17 October and of Washington on 25 October. In the released statement, the sides also undertook not to deliberately target civilian populations or non-military objects in accordance with international humanitarian law. Despite this, after the Geneva meeting, the Armenian armed forces using heavy artillery continued to intensively shell Azerbaijani military units and civilian areas in Tartar, Aghdam, Goranboy and Aghjabadi districts.

Thus, it is a fourth time in a row that Armenia has blatantly violated the agreed humanitarian ceasefire and ignored the calls of mediators. This was preceded by violations of humanitarian ceasefires agreed on 10, 17 and 25 October, almost immediately after they entered into force. Consistent pattern of these violations by Armenia is demonstration of willful ignorance of its commitments and a sign of open disrespect to the efforts of international mediators. This clearly resonates with provocative and warmongering statements coming from Armenia's officials and confirms that this country is not interested in a peaceful negotiated solution to the conflict and that its ultimate goal is to continue the military occupation of the territories of Azerbaijan.

On 30 October - 2 November, Armenia continued to launch attacks in various directions, including across the international border with Azerbaijan. The border regions of Azerbaijan - Dashkesen,

Gadabay, Gazakh, Gubadli, Tovuz and Zangilan were fired at from Noyemberyan, Berd, Chambarak, Gorus, Vardenis regions of Armenia. Armenia's armed forces continuously targeted Aghdam, Aghjabadi, Goranboy and Tartar districts with heavy artillery causing human suffering and damage to civilian infrastructure.

On 2 November, one of the shells fired by Armenia fell on a school in Mahrizli village of Aghdam district and inflicted severe damage on the school building. In total, since 27 September, as a result of Armenia's bombardments, 9 school children have been killed, while 50 schools have been destroyed or damaged.

On 3 November, the border regions of Azerbaijan - Gadabay, Tovuz and Dashkesan were fired at from Berd, Chambarak and Vardenis regions of Armenia. Armenia's armed forces also targeted Aghdam and Aghjabadi districts with heavy artillery. Fuzuli city and its surrounding villages were attacked with 300 mm "Smerch" MLRS. Furthermore, two artillery shells were fired at Sahlabad village of Tartar district. One of them fell on a private house.

Last week we informed the PC that on 26 October, after Armenia's armed forces shelled the Dashkesan district, located outside the conflict zone, a major fire broke out in the forest located in this district. As a result of artillery fire on 3 November, another fire broke out in the forest near Tazakand village of the same district. Thus, we observe a worrying tendency of intentional firing on forests, which is a manifestation of environmental terror employed by Armenia. The map that you see on the screens represents damage that has thus far been inflicted on forests in the occupied territories of Azerbaijan as a result of Armenia's aggression.

On 4 November, the Armenian armed forces continued to heighten tensions and kept shelling the cities, settlements and villages of Aghdam, Aghjabadi and Tartar districts. Furthermore, Armenian armed forces using mortars and small arms fired at the positions of Azerbaijan's armed forces on the state border between the two states in Tovuz and Aghstafa districts of Azerbaijan.

Until this morning of 5 November, Armenia's armed forces continued to fire upon settlements of Goranboy and Tartar districts. 4 shells have been fired at Giyameddinli village of Aghjabadi district. Later during the day, Armenia has been shelling again the city of Tartar and Sahlabad village of Tartar district, as well as Hajituralli and Afatli villages of Aghdam district.

Last week the Ministry of Defence of Azerbaijan has issued the statement informing about the delivery of a large amount of phosphorus cargo to the units of Armenian armed forces stationed in the direction of the occupied Khojavend district of Azerbaijan. The purpose of this, as it became known later, was to lay basis for Armenia's further provocations by spreading false and fake information about the alleged use of white phosphorus by the Azerbaijan's armed forces. Further to this, Armenia, using white phosphorous munitions, has set fire to the forests of Shusha, thus aiming to create smoke and hinder visibility as well as vision of drones used by the Azerbaijan's armed forces. This constitutes an environmental terror and represents another sign of desperation on Armenian side.

We would like to further remind that Armenia has a track record of using phosphorus munitions. Back in 2016, during the four-day April escalation, Armenia fired phosphorus projectiles on Askipara village of Tartar district of Azerbaijan. The unexploded ordnance has been neutralized back then. More

recently, on 8 October 2020, Armenia fired phosphorus projectile on Fuzuli district of Azerbaijan. Fortunately, it did not explode, and experts of Azerbaijan National Agency for Mine Action (ANAMA) have identified and decomposed it. Lastly, on 3 November, Armenian armed forces fired phosphorus shells at Sahlabad village of Tartar district. ANAMA neutralized this unexploded ordnance on the spot. These instances of active use of phosphorus munitions by Armenia exemplify its typical blame-shifting exercises and attempts to evade responsibility.

We would like to further inform the PC that in the reporting period ANAMA continued to carry out its activity in the areas close to as well as farther away from the conflict zone affected by the Armenian aggression. As a result of this work, as of November 4, ANAMA found 318 unexploded ordnances, 1627 pieces of anti-personnel mines, 276 pieces of anti-tank mines, explosives of 460 anti-tank mines, 76 pieces of detonators, 1174 pieces of 9N235 type cluster munitions, 753 exploded missile parts. Furthermore, mine awareness specialists conducted mine safety awareness campaign among 42777 civilians. On 2 November, while on duty, ANAMA's deminer was wounded by anti-personal mine placed by Armenia's armed forces in the Jabrayil district of Azerbaijan.

Overall, since the outbreak of hostilities on 27 September 2020, deliberate and indiscriminate attacks of the armed forces of Armenia against the cities, towns and villages in Azerbaijan, as of today, claimed the lives of 92 civilians, including children, infants, women and elderly, 404 civilians were wounded, 2971 private houses, 100 residential apartment buildings and 502 other civilian facilities were either destroyed or damaged.

Deliberate and indiscriminate attacks carried out by the Armenian armed forces on densely populated civilian areas of Azerbaijan, including those located far away from the conflict zone, indicate that Armenia does so in order to inflict high level of casualties and cause disproportionate harm among civilian population and civilian objects. Such attacks constitute a war crime and a crime against humanity and an act of state terror, for which all perpetrators, including those at the highest echelon of political military leadership of Armenia must bear international legal responsibility. Against the background of irrefutable evidence attesting to continuous bombardment of cities and other densely populated civilian areas of Azerbaijan, Armenia continues to deny its responsibility for the atrocious crimes committed against Azerbaijani civilians during the conflict. In this regard, Azerbaijan calls on the participating States and the international community as a whole to strongly condemn the barbaric and atrocious methods of warfare employed by Armenia. These inhumane acts call for justice and accountability.

In particular, we reiterate our call on OSCE participating States made at the latest PC and FSC meetings and urge them again to fully implement their relevant collectively agreed commitments in the politico-military dimension in order to deny Armenia any means to commit further crimes against civilian population of Azerbaijan with weapons and ammunition that it continues to get from OSCE participating States through various schemes of trafficking. Against the backdrop of unabated attacks on civilian population of Azerbaijan, OSCE participating States concerned have to take prompt actions arising from their relevant OSCE commitments and to reconsider their military-technical cooperation with Armenia.

Alongside indiscriminate attacks on civilians, in the reporting period, the Armenian armed forces continued to attack the positions of the armed forces of Azerbaijan along the frontline with the aim of

regaining control over positions they lost in the course of Azerbaijan's counter-offensive. Armenia's provocations and attacks along the restored state borders between Armenia and Azerbaijan, particularly in the direction of recently liberated Gubadli and Zangilan districts, deserve closer attention. On 2 and 4 November, Azerbaijan's armed forces neutralized the attempts of Armenian reconnaissance-sabotage groups to attack our units from the territory of Armenia and seize favorable high grounds at the state border in the direction of the Zangilan district of Azerbaijan.

The Armenian military-political leadership must now realize and reckon with the fact that the restored state borders of Azerbaijan in the territories previously occupied by Armenia are not a zone of conflict anymore, but internationally recognized borders of Azerbaijan, over which Azerbaijan has full sovereignty. The inviolability of these state borders must be ensured and any provocation by Armenia in this direction will be assessed as an attack on our territorial integrity.

In the reporting period further credible evidence continued to emerge on deployment of terrorists and mercenaries in the conflict zone by Armenia. Most recently, the presence of mercenaries from Lebanon and Syria along with PKK terrorists in the ranks of Armenia's armed forces has been reflected in the reportages by Reuters and France 24. More than 300 mercenaries have been recruited through the "VOMA" (Voxj Mnalu Arvest - The Art of Survival) terror organization. These are citizens of different countries, including Lebanon and Syria, as well as some OSCE participating States.

We further remind that at least some of the terrorists and mercenaries deployed by Armenia in the combat zone are dressed in military uniform of the armed forces and State Border Service of the Republic of Azerbaijan. This is an intentional misrepresentation and constitutes a clear case of false flag operation, which is forbidden under laws and customs of war. This dangerous practice employed by Armenia may have adverse repercussions and we have already warned the participating States in this regard.

As we informed the Permanent Council, Armenia - which uses children in its combat operations yet presents itself as one of the "advocates" of the Safe Schools Declaration - also does not hesitate to use school buildings and even kindergartens for military purposes, thus committing grave violations of its international obligations. There is further evidence that Armenia is using a secondary school in the Girmizi Bazar village in the occupied Khojavend district of Azerbaijan as a weapons and ammunition storage. The drone video shared by the Azerbaijan's Ministry of Defence clearly shows that Armenian servicemen on-load arms to a military truck next to the school building. On the left side of the screen you can see a screenshot from this drone video, while on the right side there is Google Earth image of the school with location coordinates. This is yet another testament to the fact that Armenia is using kindergartens and schools as a cover for its weapons and ammunition depots in the hope that Azerbaijan won't strike them. But in case Azerbaijan does so, there will be "incontrovertible proof" to show the international community that Azerbaijan attacks "schools" and "kindergartens". But even after this school has been converted into a legitimate military target, the armed forces of Azerbaijan did not destroy it and targeted only the military personnel on-loading ammunition outside the school building.

We also would like to draw the attention of the OSCE community to the continuing deplorable practice of putting pressure, using hate speech and intimidating journalists reporting on the Armenia-Azerbaijan conflict. Last week we presented the case of insults and threats by radical Armenian groups against the

French TF1 television channel. Since then similar attacks continued, this time against the New York Times which published an article on the conflict. Azerbaijan has repeatedly called RFoM to observe relevant media developments in all participating States without exception, political or geographic preferences. RFoM should advocate and promote full compliance with OSCE principles and commitments regarding freedom of expression and free media in a comprehensive, objective and impartial manner in full compliance with its Mandate. Unfortunately, we have not yet seen any reaction from the Office of RFoM on the aforementioned cases and we reiterate our call on RFoM to this end.

We would like to further update the Forum that as a result of counter-offensive conducted by Azerbaijani armed forces, as of today Azerbaijan liberated 4 cities, 200 villages and 3 settlements in Fuzuli, Jabrayil, Zangilan, Gubadli, Khojavand and Tartar districts of Azerbaijan, thus implementing the UN Security Council resolutions 874 and 884 demanding the withdrawal of the occupying forces from these territories of Azerbaijan.

Liberation of these territories disrupted some of the illegal activities, including illegal exploitation of non-ferrous metal deposits near Vejnali village in Zangilan district of Azerbaijan. Azerbaijan has repeatedly drawn the attention of the OSCE that Armenia and the unlawful regime it has set up in the occupied territories are profiteering economically and financially from the armed conflict and occupation of the territories of Azerbaijan. The illegal economic and other activities in the occupied territories include, inter alia, implantation of settlers from Armenia, Syria, Lebanon and elsewhere, destruction and appropriation of historical and cultural heritage, permanent infrastructure changes, exploitation, illicit trafficking and trade in natural resources and other forms of wealth, accompanied by substantial and systematic interference with the public and private property rights. Certain foreign businesses and entities, including those run by the Armenians or based on the Armenian capital, played a decisive role in funding, enabling and facilitating these illegal activities both for private gain and for supporting the prolongation of the occupation of these territories. These activities carried out in flagrant violation of international law were aimed at further consolidating the status-quo and preventing the hundreds of thousands of Azerbaijani forcibly displaced persons from returning to their homes and properties in those areas. The Prosecutor General's Office of Azerbaijan under the relevant provisions of the Criminal Code of Azerbaijan launched criminal cases with regard to these illegal activities.

During the investigation by the Prosecutor General's Office, it was determined by the Ministry of Taxes of the Republic of Azerbaijan that "Base Metals" Closed Joint-Stock Company, a branch of the Vallex Group of Companies officially registered in Switzerland, during 2009-2017 illegally exploited non-ferrous metal deposits in Vejnali and made illegal profits amounting in total to 301 million 918 thousand AZN (approximately 152 million Euros). Based on the collected evidence Vartan Sirmakes, a financial investor in the Vallex Group, a citizen of the Swiss Confederation, Valeriy Mejlumyan, head of Vallex Group as well as Arthur Mkrtumyan, CEO of Base Metals CJSC, in connection with the above-mentioned criminal facts, were charged under the provisions of the Criminal Code of Azerbaijan. By the relevant court decisions they were declared internationally wanted in absentia.

The Delegation of Azerbaijan would like to reiterate that the responsibility for the consequences of any action, including pursuit of individuals and corporations through the national legal system of Azerbaijan and domestic courts of involved or third party States, which the Republic of Azerbaijan may be obliged to undertake in connection with the unlawful activities in the occupied territories of Azerbaijan in order to protect its sovereignty and territorial integrity within its internationally

recognized borders, as well as the rights and legitimate interests of its citizens, will lie entirely with the Republic of Armenia and the engaged natural and legal persons, entities and bodies.

Meanwhile, the amount of military equipment of Armenian armed forces destroyed and captured by the armed forces of Azerbaijan in the course of our counter-offensive keeps growing. Thus, as of 04 November, Azerbaijani armed forces destroyed and captured 318 tanks of Armenian armed forces. To compare, in the latest annual exchange of military information within the Vienna Document and CFE Treaty, Armenia declared to possess only 145 tanks. Our armed forces also destroyed and captured 609 artillery pieces, while Armenia declared to have only 242 artillery pieces. These vast differences in numbers speak for themselves and once again testify to Armenia's grave violations of its commitments and obligations under relevant politico-military instruments, which we repeatedly have been bringing to the attention of the FSC. It also reveals a high scale of militarization of the occupied territories, which pursued the obvious goal to consolidate the unlawful occupation of these territories. One can only wonder how many more pieces of military equipment are still left at the disposal of Armenian armed forces in the occupied territories.

The irresponsible position of Armenia's military-political leadership expressed in its failure to honor commitments on humanitarian ceasefire, repeated blatant violations of this ceasefire moments after it enters into force, unabated indiscriminate attacks on civilian population of Azerbaijan which constitute war crimes and crimes against humanity, a series of warmongering statements and public denunciations of peaceful negotiated resolution of the conflict based on agreed core principles, attempts to propagate the illegal puppet regime set up in the occupied territories, are the chief reasons for the current impasse. Armenia's sense of impunity and permissiveness must be urgently addressed by the international community, in particular the OSCE and Co-chairing countries of the Minsk Group, since it leaves no room for any meaningful negotiation with the current Armenian Government. Armenia must be brought back to the logic and understandings underlying the OSCE Minsk Group-led negotiation process before it is too late.

To conclude, we reiterate that Armenia must demonstrate in words and deeds that it is genuinely interested in peace in the region; it must cease its policy of annexation and ethnic cleansing; it must comply with its international obligations and withdraw its forces from the Nagorno-Karabakh region and other occupied territories of Azerbaijan, which will pave the way for the achievement of lasting peace, security and stability in the region.

I request that this statement be attached to the journal of the day.

Thank you, Mr. Chairperson.