



Hügelgasse 2, A-1130, Wien | Tel.: + 43 (1) 403 13 22 | Fax: + 43 (1) 403 13 23 | E-mail: vienna@mission.mfa.gov.az

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

*Compliance by Azerbaijan with obligations
under international humanitarian law*

Mr. Chairperson,

Since the beginning of counter-offensive, the Ministry of Defence of Azerbaijan has repeatedly stated that the Azerbaijani armed forces neutralize only legitimate military objects in the occupied territories of Azerbaijan and do not target civilian population and civilian infrastructure, adhering to the principle of distinction. They distinguish at all times peaceful civilians from combatants, as well as civilian from military objects.

In Azerbaijan, civilians continue to suffer from the ongoing Armenia-Azerbaijan conflict and the latest aggression of Armenia. Tens of civilians were already killed or injured. Direct or indiscriminate attacks by the Armenian armed forces damaged and destroyed homes, schools, hospitals, places of worship and other civilian infrastructure. Hundreds of thousands of Azerbaijanis were forced from their homes for more than 28 years.

Armed Forces of Azerbaijan and high-level officials have on many occasions appealed to the civilian population in the occupied territories to stay away from the combat zone and that Azerbaijan's Armed Forces are not fighting against them. Figures on the number of civilians in the occupied territories are varying. UNHCR reports that the number of refugees moved to Armenia due to the last escalation stands around 10,000 to 20,000 people, while the figures provided by EU ECHO are around 6800. According to the report of the Sputnik news agency dated 4 November 2020, 70% of the civilian population in the occupied Azerbaijani city of Khankendi is relocated to Armenia.

We are considering the Armenian residents of the Nagorno-Karabakh region of Azerbaijan as our citizens and have properly instructed our Armed Forces to follow the necessary guidelines on protection of civilians and international humanitarian law standards. After liberation of the occupied territories both Armenian and Azerbaijani communities of the Nagorno-Karabakh region will resume their relations and inter-communal life as they lived before the conflict.

Armenian side employs a broad disinformation campaign and produces fake news in order to demonstrate that Azerbaijani armed forces are targeting civilian population and infrastructure, as well as to divert attention from and cover up Armenia's own attacks on civilian population of Azerbaijan. Last week, we demonstrated that just at the same time as Armenian armed forces attacked Barda city,

Armenian propagandists spread fake news about alleged bombardment by Azerbaijan and Turkey of maternity hospital in Khankendi with F-16 jets. It was clear that the shared photos depicted an abandoned building rather than a functional hospital, as there were no traces of damaged medical equipment or even elementary pieces of furniture. Another recent example is unsophisticated and unprofessional fake created by Armenian side, depicting missile fired at civilian area in the occupied territories. Taking a closer look at the photo, one can easily notice that the producers of this fake have even forgot to remove spider net from the munition.

UN High Commissioner Michelle Bachelet in her statement of 2 November 2020 confirmed that many images circulating on social media on alleged violations of international humanitarian law are fake. Nevertheless, Ministry of Defense and Prosecutor General Office of the Azerbaijan takes seriously any allegations of alleged non-compliance with international humanitarian law and promptly investigate them. Thus, the alleged shooting of Armenian prisoners of war in social media was investigated accordingly and it was found that it was a fabricated fake video.

Azerbaijan transferred unilaterally to Armenia the remains of 30 fallen Armenian servicemen via a pre-agreed corridor with the mediation of the ICRC. Azerbaijani side has hundreds more of deceased Armenian servicemen, which we are ready to hand over to Armenia immediately and we call on the ICRC and PR CiO to facilitate this. Moreover, Azerbaijan consistently has been proposing to exchange all prisoners of war on the basis of “all for all” principle.

However, Armenian side politicizes the issue and uses every pretext in order to drag by all means third countries and their troops into the conflict and in the combat zone, even abusing the humanitarian issues. The discussions on the modalities of humanitarian ceasefire and related commitments are still ongoing. Meanwhile, we urge Armenian side not to lose its human face and collect and return the remains of fallen Azerbaijani servicemen without any delay.

Armenia is anxiously looking for videos of Azerbaijan’s alleged violations of international humanitarian law. Instead, we call on Armenia to direct its efforts towards investigating the reports in social media regarding its own grave violations of international humanitarian law, including the disturbing reports attesting to inhumane and degrading treatment of corpses of deceased Azerbaijani servicemen by feeding the dead bodies of our servicemen to pigs. This attests to barbaric nature of the Armenian armed forces in the occupied territories of Azerbaijan. The Armenian Ambassador should reflect on these reports, which I am sure he is aware of and come to terms with morale.

It is utterly deplorable that despite the renewed commitment reached in Geneva on 30 October not to deliberately target civilian populations or non-military objects, the armed forces of Armenia immediately violated it and continued direct and indiscriminate attacks against the civilian population and civilian objects in Azerbaijan far away from the frontline in a gross violation of its obligations under international humanitarian law, including the 1949 Geneva Conventions.

Last week we informed the Permanent Council that Barda district and city have been subjected to heinous attacks by the Armenian armed forces two times in a row on 28 and 29 October, the second attack being thus far the deadliest single attack on civilian areas of Azerbaijan, which left 21 civilians dead and more than 70 seriously wounded. This war crime and a crime against humanity, which once again exposed the terrorist nature of Armenia’s military-political leadership, also gained attention of Amnesty International and Human Rights Watch. In their respective reports, these two NGOs have confirmed the use of cluster munitions by Armenia for killing civilians in Barda.

Armenia’s actions are aimed at inflicting indiscriminate or disproportionate harm not only to Azerbaijani civilians, but also to the Azerbaijani citizens of Armenian origin residing in the occupied Nagorno-Karabakh region of Azerbaijan. Amidst the reports that civilians are leaving Khakendi, Shusha and other settlements, the Armenian side introduced more restrictions on free movement in

the occupied territories and closed the Khankendi-Lachyn road for the use by civilians. Obviously, Armenia intends to use them as human shield, putting them in harm's way.

Moreover, the evidence suggests that Armenian armed forces are using kindergartens and school area as a military ammunition depots and for other military purposes, knowing exactly that the Armed Forces of Azerbaijan make a clear distinction between the civilian objects and military targets.

The most effective way to protect civilians is to prioritize respect for international law in all circumstances and by all available means, along with ensuring the earliest resolution of this conflict by demanding from Armenia to withdraw its forces from the remaining occupied territories of Azerbaijan.

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

Thank you, Mr. Chairperson.