



Statement by the Delegation of the Republic of Azerbaijan 2016 Annual Security Review Conference

Working session II: Conventional arms control and confidence-and security-building measures: problems and prospects

Mr. Moderator,
Distinguished Colleagues,

At the outset, I would like to join previous speakers in thanking our distinguished keynote speakers for their insightful presentations.

Arms control and confidence-and security building measures enshrined in the relevant OSCE documents, including the Vienna Document lies at the core of our common vision of creating a security community based on mutual trust and confidence. While acknowledging the outstanding need for bringing these measures in line with requirements of today's security environment, the Republic of Azerbaijan is of firm belief that imperative norms and principles of inter-State relations, in particular those related to respect for the territorial integrity and inviolability of the internationally recognized borders of States and refraining from threat or use of force against territorial integrity and political independence of each other should be basis of any such attempt. For the progress in the field of arms control and CSBMs, first and foremost, respect for fundamental principles of international law, enshrined in the UN Charter and the Helsinki Final Act should be ensured. Otherwise, we would run the risk of exporting old and unsettled problems into the new negotiations.

Effective implementation of CSBM regimes is undeniably linked to the conflict situations existing in the OSCE area. We cannot achieve our goals put forward in the relevant documents without addressing serious challenges posed by ongoing occupation of internationally recognized territories of the participating States. It goes without saying that confidence cannot be established while the armed forces of one participating State continues to be illegally deployed in the territories of the other.

In this context, the Azerbaijani side strongly believes that serious challenges stemmed from existing conflict situations in the OSCE area deeply undermine the value of CSBMs and arms control regimes. In particular:

- Security concerns of the participating States, the territories of which under military occupation should be properly addressed. It is obvious that implementation of agreed CSBMs in the regions of protracted conflicts is not as easy as in other regions of the OSCE area. Therefore, CSBM and arms control regimes should address the existing gaps between the CSBMs applied among countries in peace and those OSCE regions with crisis and unsolved military conflicts;

- Illegal military activities in the areas that are not under legitimate control of participating States is not in line with the letter and spirit of the documents that envisages CSBMs. Accumulation of undeclared, unaccounted and uncontrolled military equipment, including illegal transfer of weapons and ammunitions to the occupied territories, as well as conducting military exercises therein, run contrary to the commitments regarding the participating States' conduct in military sphere.

Distinguished Delegates,

Destabilizing and excessive accumulation of conventional arms, as well as their illicit diversion also remains to be a serious threat to peace and security in the OSCE area and necessitates effective actions. Especially for the participating States affected by protracted conflicts illicit transfer or diversion of arms is a serious legitimate security concern. This fuels tension, is used for consolidation and prolongation of illegal situations and creates further obstacles for the efforts for finding peaceful solution to these conflicts.

The commitments laid down in such OSCE documents, as the Principles Governing Conventional Arms Transfers are extremely relevant, in this regard, and should be implemented unreservedly by all OSCE participating States. Thus, in their arms trade, the OSCE participating States should take into due account the record of compliance any recipient country with regard to international commitments, in particular on the non-use of force and should avoid arms transfers that could prolong or aggravate existing conflict or endanger peace, introduce destabilizing military capabilities into a region or otherwise contribute to regional instability.

Despite these commitments, we observe rather disturbing situation in terms of their implementation. This urgently necessitates practical steps with a view to achieving proper implementation of the above-mentioned commitments. For that aim, information exchange procedures on arms transfers should be improved to ensure that exchanged information is accurate and verifiable. In addition, the cost of non-compliance should be significantly increased through imposing effective sanctions vis-à-vis the States that violates their bilateral and multilateral obligations on importing, exporting, re-exporting and transferring arms and munitions. In this regard, consolidation of international and regional regulatory frameworks for arms transfers with particular focus on ensuring strict adherence to end-user obligations is of paramount importance.

It should be particularly noted that appearance of arms and munitions, including the conventional arms of some participating States in the occupied territories does not speak for these countries' compliance with their commitments, as well. In this context, the OSCE participating States should take effective measures to eliminate the consequences of illegal diversions and reconsider their military cooperation with the states that are in breach of their obligations under international law and continue their illegal military presence in the internationally recognized territories of other participating States.

As for the arms control regime, we are of firm position that the following basis of arms control regime should be preserved:

- Area of application should entail the internationally recognized territories of the States Parties, based on international law;
- The presence of military forces of a State Party on the internationally recognized territory of another State Party within the area of application should always be in conformity with international law and the explicit consent of the host State Party;
- The provision to refrain from the use or threat of force against the territorial integrity or political independence of any State Party, should be safeguarded;

- On the issue of sub-regional arms control, we must avoid creating a multi-layered security system where certain parts of Europe are favorably treated, while others suffer from insecurity and other threats. Thus the integrity of the arms control regime and indivisibility of security must be safeguarded. Moreover, no such initiative may serve to consolidate illegal status-quo in the regions with protracted conflict situations;

In this context, we remain open for constructive engagement with all OSCE participating States to discuss the ways of updating and modernizing existing CSBMs and arms control regime that would accommodate the concerns outlined above.

I thank you.