



**PERMANENT MISSION OF  
*THE REPUBLIC OF AZERBAIJAN*  
TO THE UNITED NATIONS**

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by  
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to the United Nations

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“Situation in the Occupied Territories of Azerbaijan”

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The conflict in and around the Nagorno-Karabakh region of Azerbaijan has its long history.

Qarabağ (Karabakh - in Russian), both its mountainous (Nagorniy - in Russian) and lowland parts economically and politically linked with each other, has always been one of the historical provinces in Azerbaijan. In antiquity and early Middle Ages the region was a part of a state, known as Caucasian Albania, which existed between the 4<sup>th</sup> century B.C. and the 8<sup>th</sup> century in the territory of the present day Azerbaijan. In 313 Christianity was proclaimed as a state religion in Albania.

In the 8<sup>th</sup> century, the population of Azerbaijan, including the majority of the Albanians, was converted to Islam. The Albanians, inhabited in the mountainous part of Karabakh, retained their own religion. In IX-XIX centuries Karabakh was a part of different states ruled by the local Azerbaijani dynasties. The treaty of May 14, 1805 signed by the Azerbaijani Khan (Prince) Ibrahim Khalil of Karabakh brought Karabakh under the Russian rule. Thereafter Armenians were massively settled to the mountainous part of Karabakh, where at a later stage they assimilated and gregorianized the indigenous Albanians, whose Orthodox Patriarchy was abolished in 1836 by the Russian authorities and its property was transferred to the Armenian Gregorian Church. The descendants of the Albanians continue to live in other regions of Azerbaijan.

In 1918 Azerbaijan proclaimed independence and guided by the principle of good-neighborliness handed over the Azerbaijani Iravan (Yerevan) province to the Republic of Armenia. Nevertheless, the newly established Armenian Government raised claims to other territories, including Nagorno-Karabakh, Armenian Assembly of which in 1919 formally accepted Azerbaijani rule. The Nagorno-Karabakh region of Azerbaijan during the soviet times enjoyed political, economic and cultural autonomy and developed faster than Azerbaijan and Armenia as a whole.

The present-day stage of the Armenian-Azerbaijani conflict dates back to the end of 1987. As a result of the repressions carried out in Armenia, 220 Azerbaijanis were killed, 1154 people were wounded and about 250,000 were expelled. That was the last wave of deportation of Azerbaijanis for centuries resided in the territory presently called Armenia.

In early 1988 the Armenian Government instigated secessionist movement in the Nagorno-Karabakh region. In 1989 the Parliament of Armenia, in total contradiction to the USSR constitution, adopted a decree "On re-unification of the Armenian SSR and Nagorno-

Karabakh”.

In continuation of these steps Armenia with the support of foreign troops, as well as with direct participation of the international mercenaries and terrorist groups unleashed full-scale military operation, which led to the occupation of the Nagorno-Karabakh region of Azerbaijan and seven adjacent districts. The occupation was accompanied by the policy of ethnic cleansing and as a result more than 1 million Azerbaijanis became refugees and internally displaced persons.

Responding to the occupation of the Azerbaijani territories and alarmed by the severe humanitarian catastrophe as a result of the expulsion of more than 1 million refugees and internally displaced persons, the Security Council in 1993 adopted four resolutions — 822, 853, 874 and 884 — demanding the immediate, complete and unconditional withdrawal of the occupying forces from the occupied territories of Azerbaijan and the creation of necessary conditions for the return of displaced persons to their homes in security and dignity. Those provisions of the resolutions remain unimplemented.

The negotiations under the OSCE Minsk Group started in 1992. At the OSCE Lisbon Summit in 1996 the Co-Chairmen of the Minsk Group and the OSCE Chairman-in-Office recommended the following principles as the basis for the settlement of the conflict: territorial integrity of Armenia and Azerbaijan; the highest degree of self-rule for Nagorno-Karabakh within Azerbaijan; guaranteed security for Nagorno-Karabakh and its whole population. But Armenia was the only one out of 54 OSCE participating-states which did not accept these principles.

Moreover, Armenia tries to consolidate the occupation through illegal activities in the occupied territories of Azerbaijan. Armenia has launched an outrageous policy of exploiting natural resources in the occupied territories, in particular the gold mines in Kalbajar district, aiming to engage overseas companies in the illegal business.

In addition, Armenia falsifies the history and misappropriates the cultural and architectural heritage of all occupied territories. Religious and historical monuments, ancient manuscripts and other cultural properties have been destroyed, re-fashioned, plundered and removed.

Furthermore, Armenia has launched an outrageous policy of the massive illegal settlement of Armenian population in the occupied territories, which is another blatant violation of the international law.

Expressing its serious concern on the massive settlement in the occupied territories item entitled “Situation in the occupied territories of Azerbaijan” was included into the General Assembly’s agenda. As a result of the consideration of this item at the plenary meeting of the General Assembly on 23 November 2004, the first ever OSCE Fact-Finding Mission was dispatched to the occupied territories of Azerbaijan from 31 January through 5 February 2005.

The Fact-Finding Mission confirmed the facts of the Armenian settlement of the occupied territories. The Co-chairmen of the OSCE Minsk Group have requested that any further settlement of the occupied territories of Azerbaijan should be discouraged and urged to avoid changes in the demographic structure of the region, which would make difficult any further efforts to achieve a negotiated settlement of the conflict in and around the Nagorno-Karabakh region of the Republic of Azerbaijan. (A/59/747-S/2005/187). The Fact-Finding Mission became feasible due to the General Assembly’s just and right approach to the grave concern articulated by Azerbaijan.

However, another dangerous development occurred in the occupied territories. In 2006 we registered massive fires in the eastern part of the occupied territories. What deeply concerned us was the fact that they had been taking place in those territories where the Azerbaijani population would eventually return.

With the view to take comprehensive measures to suppress the fires, eliminate the impact of this environmental disaster and rehabilitate the fire-affected territories of Azerbaijan our delegation during intensive consultations acting in the spirit of compromise, has demonstrated maximum flexibility to accommodate every concern and, as a result, on 7 September 2006 the General Assembly adopted a resolution without a vote (60/285).

Based on this resolution the OSCE-led Environmental Assessment Mission was conducted from 2 to 13 October 2006 to the fire-affected territories in and around the Nagorno-Karabakh region of Azerbaijan. The Mission has confirmed the fact of fires, lack of proper fire-fighting equipment on both sides, necessity of international assistance, and proposed short, medium and long-term initiatives (A/61/696). However, these proposals, beside their ultimate aims, supposed to establish confidence, have never been implemented in the occupied territories.

The most dangerous development in the occupied territories occurred on 4 March 2008 when the Armenian occupying forces grossly violated the ceasefire regime that led to 5 casualties from the Azerbaijani side and 27 – from the Armenian side. This provocation by Armenia is clearly intended to divert the attention of its citizens from the tense situation in the country. The use of force has unfortunately become traditional method of both foreign and domestic policy of Armenia.

Azerbaijan has always conducted the negotiations in good faith, whereas Armenia uses the negotiations as a cover for its illegal activities in the occupied territories. Armenia, contrary to the aims of negotiations, through continued military occupation, demonstrates its unchanged “fait accompli” policy. The newly elected president of Armenia Serj Sarkisian during his presidential campaign in the city of Mehry on 24 January among the basic principles on Nagorno-Karabakh declared that Karabakh can not be a part of Azerbaijan and Karabakh should have the connection with Armenia. He stated that “out of these principles, we will not discuss the regulation of the conflict” (<http://www.armtoday.info>, 24.01.08). This position of the Armenian leadership should ring another alarm bell about the real intentions of the Government of Armenia.

The talks are built on the clear stance of the full restoration of Azerbaijan’s territorial integrity and sovereignty, which are indisputable and non-negotiable, both from the legal and political point of view and deserve the support in the framework of the negotiations, as well as during the action on the draft resolution.

In the final stage of the settlement, we envisage a peaceful and prosperous region, where Azerbaijani and Armenian population of Nagorno-Karabakh would live in friendship and security within the Republic of Azerbaijan. To arrive at this point, we need to eliminate the consequences of the conflict, namely, the occupying forces shall leave all occupied territories, internally displaced people shall return to the places of their origin, and transport and communication links shall be restored.

In spite of the continued more than a decade negotiations the conflict is not settled and this situation causes on our part profound anxiety, frustration and disappointment. The consideration of the item at the plenary meeting of the General Assembly absolutely doesn’t mean that we intend to change the format of the negotiations on the settlement of the conflict. The main reason of the discussion of the item and taking action on the draft resolution is to

reconfirm the basic principles of the settlement of the conflict, to express support for the mediators and to encourage them to intensify efforts aimed at the peaceful settlement of the conflict in accordance with norms and principles of international law, in particular those related to sovereignty and territorial integrity, and to give additional impulse to the peace process in order to prevent the possible impasse and stagnation in the negotiations. International community should give a clear message that the acquisition of a territory of a sovereign state by force and the situation resulting from it shall never be recognized as legal.

We hear a lot of advises that an agreement suitable to both parties has to be negotiated. We would highly welcome the solution which could suit both parties. However, in order to achieve it, the parties have to share the same ground, the same basis in the negotiations. Azerbaijan adheres to the norms and principles of international law and intends to negotiate on this very basis.

International law has determined a common denominator for the resolution of conflicts such as the one in and around the Nagorno-Karabakh region of Azerbaijan. This denominator is the principles of respect for sovereignty, territorial integrity and inadmissibility of unilateral secession from a state. Self-determination must not violate the territorial integrity and must not be considered as an invitation for separation. Unfortunately, we cannot draw the same conclusions from the actions by Armenia which tries to solidify the results of aggression and ethnic cleansing.

On the other hand, we do not see any perspectives in continuing negotiations in the environment of legal uncertainty where so-called accomplished facts and circumstances are proposed as a reference mark.

We are gravely concerned and alarmed at the lack of clear proposals from the Co-Chairs of the Minsk Group with regard to solution of vital issues of liberation of all the occupied territories and return of the Azerbaijani population to Nagorno-Karabakh which are indispensable steps in restoration of the territorial integrity of Azerbaijan. In words the Co-Chairs express support to these purposes and objectives, however in deeds they are trying to belittle this common denominator. The Co-Chairs have no right to deviate from the principle of territorial integrity for the sake of their notorious neutrality.

By the way about the neutrality. That is position widely used when it comes to this issue. But this neutrality is not a position, this is lack of it or rather an attempt to hide a complete

political will to take position, which does not mean taking sides of parties, but taking side of the international law. There can not be neutrality when the norms of international law are violated. Neutrality under these conditions means total disregard of these norms.

We have never made and could not even make it our task to elaborate “a draft acceptable for Armenia” which does not demonstrates even a whisper of readiness to abandon illegitimate and meaningless territorial claims to Azerbaijan. We based our draft resolution on the norms and principles of international law and in accordance with the concept of settlement which has repeatedly been supported by the Co-Chairs of the Minsk Group and which provides for the return of the population to their land and determination of the legal status of the Nagorno-Karabakh region within Azerbaijan, with direct and equal participation of residing there Azerbaijani and Armenian communities. We could hardly accept the proposition that the resolution could lead to the deterioration of Armenian-Azerbaijani relations simply because it is impossible to deteriorate something which in fact does not exist.

The argument that draft resolution is unilateral and untimely can not be accepted either. It is not and it can not be such, because it was prepared in accordance with the international law and as such it is impartial. This resolution was prompted by the folding circumstances both on regional and international level which heightened our concerns over the status of the settlement process and therefore, the draft resolution is apropos and timely.

The resolution will play an important role in awakening Armenia, which remains with impunity and is got used to this permissive environment. It is aimed at persuading Armenia into the will and position of the international community. It would be counter-productive if member-states reject the support to the draft resolution and that will be interpreted in Yerevan as a signal for continuation of its destructive policy.

Azerbaijan values the position of the international community, which has unequivocally supported the territorial integrity of Azerbaijan. Azerbaijan strongly believes that at this crucial juncture in the United Nations reform process, the General Assembly as the chief deliberative, policymaking and representative organ of the United Nations will again prove its relevance and validity to deal with any question relating to the maintenance of international peace and security, will articulate its position and address the issue of concern. The consideration of the item is not only about voting for the draft resolution, it is not even about expressing political support for the concern of Azerbaijan, it is about boosting the principles and norms of international law, it is

about supporting all member-states, whose sovereignty and territorial integrity may be in danger at any time at this crucial and difficult period of international relations.

By supporting the draft resolution, the UN member states will confirm in deed their stated position with regard to adherence to the norms and principles of international law as the basis of the world order and interstate relations. By taking this step the member-states will show their due respect to foundations and basis of friendly relations among states.

To-day around one million of Azerbaijani refugees are desperately waiting for the position of the United Nations. Before taking the action on the draft resolution I urge you to think of tens of thousands refugees living for more than a decade in tents under the open air. They are deprived of fresh water and hot food. Women give the birth in passenger cars. The whole generation is growing in the refugee camps. Infants are deprived of cradle, women are deprived of maternity. These people, living in miserable conditions are deprived of routine human happiness. Think of them before taking action!