



*Embassy of the Republic of Azerbaijan*

## **PRESS-RELEASE**

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### **Legal Consequences of Armenian Aggression Against Azerbaijan**

The UN General Assembly and Security Council circulated the report on “*The legal consequences of the armed aggression by the Republic of Armenia against the Republic of Azerbaijan*” presented by the Permanent Representation of the Republic of Azerbaijan to UN.

The report once again highlights the constant violation by Armenia of the norms and principles of international law, the sovereignty and territorial integrity of Azerbaijan since the very beginning of Azerbaijan’s independence in 1990s.

#### ***Recalling several points of the report:***

The use of force in and around Nagorny Karabakh, a region of Azerbaijan, was employed in 1988-1991, when the two republics still constituted integral parts of the Soviet Union, and these incidents were subsumed under non-international armed conflict within a sovereign state (Azerbaijan). But with the two republics gaining independence in September-October 1991, and newly established Armenia intervening militarily on behalf of ethnic Armenian local inhabitants of Nagorny Karabakh, the conflict shifted to the international level.

According to the international norm *uti possidetis*, “after achieving independence existing delimitations acquire the protection of international law”. Besides that, the two states by signing the documents within multilateral framework, like UN Charter and different declarations, committed themselves to “recognizing and respecting each other’s territorial integrity and inviolability of existing borders”.

Resorting to force and challenging the sovereignty of Azerbaijan, Armenia’s first armed attack, with organized military formations and armored vehicles, was committed against the city of Khojaly, in February 1992, continuing with the bombardment of Lachin, mounted from the territory of Armenia. All these attacks elicited a series of four Security Council resolutions, where SC condemned the invasion and demanded the unconditional withdrawal of the Armenian forces from occupied territories of Azerbaijan.

Moreover, the armed attack was not only limited to straightforward military action by Armenian regular forces, but also cross-border launch of armed bands, and use of *de facto* institutions of Armenia in the territory of Azerbaijan took place. The reports of the use of heavy weaponry, including tanks and helicopters, advanced fixed wing aircraft, military ID cards of Armenian servicemen, operational maps and etc. also confirmed the participation of regular units of armed forces of Armenia.

Incontestably, numerous attacks against Azerbaijan were mounted by ethnic Armenian inhabitants of Nagorny Karabakh, the region of Azerbaijan, supported by Armenia, which *de jure* organs recruited or instigated groups and persons and instructed them to implement particular “missions” against neighboring country. In case of Armenia and the so-called “Nagorny Karabakh Republic” the movement of personnel in leadership echelon has happened at the highest possible level. The two most egregious instances are the present and previous presidents of Armenia: Serzh Sargsyan (“NKR Self-Defense Forces Committee”; minister of Defense of Armenia) and Robert Kocharyan (first “president of NKR”, prime minister of Armenia). To conclude that, the present *de jure* top organs of Armenia were its *de facto* organs even while hoisting the banner of the “NKR”.

### ***The Right of Azerbaijan for Self-Defense***

The invasion of 20% of Azerbaijani territories still remains in place to the detriment of international law principles. According to the same principles, when an armed attack occurs by a foreign state, the right of self-defense solidifies once and for all, and the exercise of that right is also submitted to the necessity and proportionality.

Still having this right for self-defense and the legal basis for the resumption of its exercise, and the condition of necessity certainly satisfied, whereas Azerbaijan has made efforts in good faith to resolve the Nagorny Karabakh conflict peacefully for more than 15 years through the mediation under aegis of Organization of Security and Cooperation in Europe (OSCE) up to direct negotiations on the highest political level, ***Azerbaijan keeps looking for diplomatic solutions for peaceful resolution and restoration of its own territorial integrity and stability in the region.***

The report available for downloading at:

<http://www.azembassy.ca/documents/nkk-legalconseq-armedaggression-2009en.pdf>