



Check against delivery

First part of the Second Review Conference of the Convention on Cluster Munitions

**Statement
delivered by Amb. Vaqif Sadiqov,
Permanent Representative of the Republic of Azerbaijan
to the UN Office and other International Organizations in Geneva**

Agenda item 8 (a): Universalization

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Mr. President,

First of all, we are pleased to see you at the helm of the Second Review Conference.

We reaffirm that mindful of a disproportionate impact of the use of cluster munitions on civilians and civilian objects, Azerbaijan condemns in the strongest terms any use of cluster munitions by any actor under any circumstances. In this regard, I would like to share the concerns expressed today by several delegations on the alleged use of cluster munitions in the course of recent military clashes between Armenia and Azerbaijan in and around the Nagorno-Karabakh region of Azerbaijan.

As you know, during these clashes, occupation forces of Armenia were defeated, and Armenia signed an act of capitulation on November 9, in accordance with which it is now in the process of withdrawing its troops from the territory of Azerbaijan. Thus, Azerbaijan has enforced the implementation of the four relevant UN Security Council resolutions thus effectively putting an end to the 28 year-long occupation of Azerbaijani territories by Armenia.

As for this Conference, we reject the one-sided allegations expressed today by the Cluster Munition Coalition on the use of cluster munitions specifically by Azerbaijan during the military clashes, as there is no single evidence to support these allegations. This propaganda campaign has been launched by Armenia for its own political and propaganda purposes. However, as we see it today, that did not help her to escape a military defeat.

Azerbaijan is not a State Party neither to the Convention on Cluster Munitions nor the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction for the obvious reasons arising from our assessment that the military posture of Armenia does not allow us, regretfully, to be a full-fledged State Party to both important international instruments and contribute to their implementation.

We reiterate that Azerbaijani military have never targeted civilians and civilian objects in the conflict zone in full abidance with Azerbaijan's imperative obligations under the international humanitarian law. Moreover, during the active phase of military hostilities, the Ministry of Defence of Azerbaijan on several occasions appealed to civilians residing in the-then occupied territories of Azerbaijan to stay clear of Armenian military infrastructure which were legitimate targets for Azerbaijani military.

The international community has witnessed numerous instances of indiscriminate and deliberate shelling of Azerbaijani civilians and civilian objects located both in close vicinity to and far beyond the area of military operations by Armenia, using short- and medium-range ballistic missiles and large caliber multiple launch rocket systems with cluster munition warheads that resulted in killing of 94 Azerbaijani civilians including children, women and elderly, and injuring more than 400 people in districts and cities of Azerbaijan such as Ganja, Barda, Mingchevir, Tartar, Aghjabadi and Beylagan. Representatives of diplomatic community in Azerbaijan have made several visits to those areas and were able to collect first-hand evidences on the use of cluster munitions by Armenia against Azerbaijani civilians.

Human Rights Watch and Amnesty International in their statements also confirmed the use of cluster munitions by Armenia during those missile attacks. The former leader of the armed separatists has publicly confirmed that he ordered a missile attack against Ganja as a part of military operations. Upon this statement, a criminal case has been initiated against him by the Prosecutor General of Azerbaijan due to the civilian casualties.

By targeting civilians and civilian objects including with the use of cluster munitions which constitutes a serious war crime under the international humanitarian law, Armenia blatantly violated its imperative obligations under the international humanitarian law, including the Geneva Conventions of 1949 and its Additional Protocols. We call on the Swiss Presidency of the Convention of Cluster Munitions and the international community to strongly condemn the use of cluster munitions by Armenia during its recent military offensive against Azerbaijan.

I thank you.