



**AZƏRBAYCAN RESPUBLİKASI  
VƏKİLLƏR KOLLEGIYASININ  
RƏYASƏT HEYƏTİ**

**BOARD OF THE  
BAR ASSOCIATION OF THE  
REPUBLIC OF AZERBAIJAN**

---

Jeyhun Hajibeyli Str. 100, AZ1007, Baku, Azerbaijan. Tel: 012 594 14 95, E-mail: office@barassociation.az

---

**"21" October 2020**

**№ 1028**

**THE CALL OF THE AZERBAIJANI BAR ASSOCIATION  
TO ITS INTERNATIONAL COLLEAGUES  
(See also Enc. Annex)**



**Dear Colleagues!**

I would like to draw your attention to the fact that for almost 27 years Armenia has been occupying 20% of the territory of the Republic of Azerbaijan, in Nagorno-Karabakh and its surrounding regions. Thus, since 1988, separatist groups have emerged among the Armenian population living in Nagorno-Karabakh under foreign influence and, together with nationalist groups in Yerevan. These groups demanded the annexation of the Nagorno-Karabakh Autonomous Region (hereinafter Nagorno-Karabakh) to Armenia. In addition, 300,000 ethnic Azerbaijanis living in Armenia were expelled from their native lands and became refugees.<sup>1 2</sup>

In 1992-1994, besides Nagorno-Karabakh territory, Armenia, with the support of local separatist forces and foreign mercenaries, occupied seven adjacent regions around Nagorno-Karabakh (not part of Nagorno-Karabakh), resulting in the displacement of about 1 million Azerbaijanis living in and around Nagorno-Karabakh. Thousands of innocent civilians were slaughtered, and on February 26, 1992, an act of genocide was committed in the city of Khojaly.<sup>3 4 5</sup>

---

<sup>1</sup> [https://www.hrw.org/reports/AZER%20Conflict%20in%20N-K%20Dec94\\_0.pdf](https://www.hrw.org/reports/AZER%20Conflict%20in%20N-K%20Dec94_0.pdf)

<sup>2</sup> <https://epress.am/ru/2015/04/29/события-в-гугарке-как-громили-азербай.html>

<sup>3</sup> <https://www.hrw.org/news/1997/03/23/response-armenian-government-letter-town-khojaly-nagorno-karabakh>

<sup>4</sup> [https://www.nytimes.com/1992/03/03/world/massacre-by-armenians-being-reported.html?fbclid=IwAR0vvAkK4AyhAJZF320CrSWA7U\\_liqubWHk4jf9l055rAR\\_nMnX7-kJ9EI](https://www.nytimes.com/1992/03/03/world/massacre-by-armenians-being-reported.html?fbclid=IwAR0vvAkK4AyhAJZF320CrSWA7U_liqubWHk4jf9l055rAR_nMnX7-kJ9EI)

<sup>5</sup> <https://www.unhcr.org/protection/convention/4bd7edbd9/azerbaijan-analysis-gaps-protection-internally-displaced-persons-idps.html?query=azerbaijan>

Armenia, which has been occupying Azerbaijani territories for 27 years, has created a puppet regime in Nagorno-Karabakh called "Nagorno-Karabakh Republic", which is not recognized by any state and is under its full control, using separatist forces (separatist forces are controlled by them as well).

The fact that Nagorno-Karabakh is an integral part of the Republic of Azerbaijan, its occupation and control of Armenia and its surrounding regions have been recognized by the world countries and international organizations.<sup>6</sup>

UN Security Council Resolutions 822, 853, 874, 884 adopted in 1993 condemned the occupation of the territories of the Republic of Azerbaijan by the Armenian armed forces and demanded the withdrawal of armed forces from the occupied territories. The resolutions reaffirm the territorial integrity of Azerbaijan.<sup>7</sup>

At its 85th plenary session in 1993, the UN General Assembly adopted a Resolution on Emergency International Assistance to Refugees and Internally Displaced Persons in Azerbaijan.<sup>8</sup>

During 1992-1996, the Chairman of the UN Security Council and the UN Secretary-General issued a series of statements on the conflict, reaffirming the territorial integrity and sovereignty of the Republic of Azerbaijan and supporting the OSCE Minsk Group's efforts to resolve the conflict peacefully.

Since 1996, in the UN-OSCE Cooperation Resolution, the UN General Assembly has reaffirmed the territorial integrity of the Republic of Azerbaijan (Nagorno-Karabakh and surrounding areas).<sup>9</sup>

The Parliamentary Assembly of the Council of Europe, in its Resolution No. 1416 of 25.01.2005, confirmed that Nagorno-Karabakh and its surrounding territories were occupied by Armenia and that the separatist forces of Nagorno-Karabakh were under Armenian control.<sup>10</sup>

The 2015 decision of the European Court of Human Rights in the case of *Chiragov and Others v. Armenia* confirms that Armenia is responsible for the occupation of Azerbaijani territories and human rights violations in these territories.<sup>11</sup>

In 1992, the OSCE established the Minsk Group at its Minsk Conference to mediate between the parties to the conflict and to prepare proposals for resolving the conflict.<sup>12</sup>

---

<sup>7</sup> <http://unscr.com/en/resolutions/822>

<http://unscr.com/en/resolutions/853>

<http://unscr.com/en/resolutions/874>

<http://unscr.com/en/resolutions/884>

<sup>8</sup> <https://digitallibrary.un.org/record/180200>

<sup>9</sup> <https://www.un.org/press/en/2008/ga10693.doc.htm>

<sup>10</sup> <https://pace.coe.int/en/files/17289>

<sup>11</sup> <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=001-155353&filename=001-155353.pdf>

<sup>12</sup> <https://www.osce.org/minsk-group/108306>

*ARMENIAN versus MOSLEM*

By SCOTLAND LIDDELL

The capture by the Bolsheviks of Baku, which is the capital of the Azerbaijan Republic, gives unusual interest to the following protest which has been addressed to us by Mr. Scotland Liddell from Tiflis, apropos of the article which appeared in our pages in reference to the Armentians of Karabagh.

**I**N THE GRAPHIC of February 21, an article is published under the heading, "The Armenians of Karabagh." The information, you state, was furnished by Mr. Tigran Nazarian, an Armenian, of course, so that one is not surprised to find it Armenian propaganda. And, alas! one is not surprised to find this propaganda false.

As regards the history, geography and natural riches of Karabagh I have nothing to say. But, as Nazarian's visit to London is in order that he can urge on the Peace Conference the Armenian request that Karabagh be included politically in the Armenian and not in the Azerbaijan Republic, and as the figures he gives regarding the population of Karabagh are of vital importance in this respect, I must point out that they are grossly untrue.

Nazarian says that there are 198,000 Armenians and 80,000 Tartars in Karabagh. Professor Schepotieff, an authority, with no political axe to grind, has proved in a recent article that the present population of Karabagh is 415,000 Mussulmans as compared with only 170,000 Armenians. But . . . so many innocent Mussulman peasants have recently been massacred by the Armenian troops that even Schepotieff's figures may be truthfully disputed. . .

To-day the Armenian regular troops are carrying on a war against Mussulman partisans in Karabagh. For the bloodshed that is taking place, even as I write, the Armenians, and the Armenians alone, are to blame. Although the province of Karabagh was placed under Azerbaijan administration by the British authorities until such a time as the future status of the province would be decided by the Peace Conference, the Armenian leaders and agitators for a long time refused to acknowledge Mussulman rule and strove in every way to incite the peaceful Armenian population against the Azerbaijan Government.

**T**HIS constant agitation and this provocation led on several occasions to fighting. In November of last year an agreement was signed in Tiflis between the Azerbaijan and Armenian Governments. By this it was arranged that all fighting would cease and that both sides would await in peace the Conference's decree. The Azerbaijan Republic faithfully kept to this agreement. The Azerbaijan troops were withdrawn from Zangezur, but no sooner had this been done than the Armenians very treacherously attacked the Mussulman villages, massacred hundreds of innocent peasants, and within a few weeks had succeeded in destroying over forty Mussulman villages.

Azerbaijan has been very patient and long-suffering. But there is a limit to a Government's patience. War has for long seemed inevitable. Now, on March 22, the Armenians, taking advantage of the Mussulman festival of *Novruz Bairam*, and the fact that there were only insignificant Azerbaijan troops, for the purpose of keeping order in Karabagh, have again launched attacks on many Mussulman villages in the province. So far, only partisan troops have opposed them, but I hear on good authority that the Azerbaijan Government is despatching regular troops to the assistance of the unfortunate Mussulman population of the country, who are faced with the threat of complete extirpation at the hands of their "Christian" neighbours.

Armenian propaganda is excellent. Doubtless the many propagandists in England, France and America will take advantage of their losses in the present clash to further their pleas and greedy territorial claims. But we in Trans-Caucasia know what the truth actually is. Surely it is time that the British public knew it too?



**“The Graphic” newspaper. 8th may 1920.**

In 1994, Armenia and Azerbaijan signed the Bishkek Protocol, which ensured a ceasefire between the countries.<sup>13</sup>

The Minsk Group's efforts to resolve the conflict over the past 27 years have been ineffective due to Armenia's unconstructive and groundless position. The Armenian side has

<sup>13</sup> <https://peacemaker.un.org/armeniaazerbaijan-bishkekprotocol94>

taken a blackmailing, illegitimate position that the conflict can be “resolved” and other occupied territories can be liberated on the condition of Nagorno-Karabakh's “independence”.

However, the Azerbaijani side has repeatedly stated its readiness to grant the territory of Nagorno-Karabakh a high level of autonomy based on world experience, ensuring the full security of the Armenian population there and their enjoyment of all civil rights.

Over the past 27 years, the ceasefire has been repeatedly violated by the Armenian armed forces, and dozens of civilians, including two-year-old children, have been killed as a result of fire from the occupied territories.<sup>14</sup>

After Nikol Pashinyan became a prime minister, Armenia became more aggressive in resolving the conflict, making statements such as “Nagorno-Karabakh is Armenia”, him and his wife have dealt a serious blow to the negotiation process by organizing and participating in military exercises in Nagorno-Karabakh and other occupied territories.<sup>15</sup> All these steps were actually derogating from negotiation process and make OSCE Minsk Group's effort useless.

On July 12, 2020, the Armenian military attacked the Tovuz region of Azerbaijan, which is located completely outside of Nagorno-Karabakh, and tried to take control of the Baku-Tbilisi-Ceyhan oil pipeline, gas pipelines to European countries and the Baku-Tbilisi highway and railways, which are part of the Great Silk Road. In September, they tried to force Azerbaijan to surrender Nagorno-Karabakh and make concessions to Armenia by occupying additional territories around Nagorno-Karabakh. In both cases, the Azerbaijani army defeated the attacks of the Armenian armed forces.<sup>16</sup>

As a result of the attempt of the Armenian armed forces to occupy new territories of the Republic of Azerbaijan in violation of the ceasefire, military clashes between the armed forces of the two countries began on September 27 and is continuing today. Since that date, the Azerbaijani Armed Forces have also launched a military operation to clear the occupied territories from Armenian armed forces and mercenary terrorist groups brought to the area from Lebanon, Syria and other countries. Using the territory of Armenia and the occupied territory of Nagorno-Karabakh directly by the Armenian Armed Forces, the civilian population in Tovuz, Shamkir, Goranboy, Dashkasan, Naftalan, Aghdam, Fuzuli, Jabrayil, Tartar, Agjabadi, Mingachevir, Yevlakh, Khizi and Ganja regions and cities of the Republic of Azerbaijan the settlements were subjected to intense missile attacks.

On October 6, Armenia targeted the Baku-Tbilisi-Ceyhan pipeline that delivers Caspian oil to Europe.

Despite the signing a humanitarian ceasefire agreement in Moscow on October 9, 2020, Armenia again fired missiles at the Azerbaijani cities of Ganja and Mingachevir on the night of October 10 and 17, killing 22 civilians and several children, 93 civilians were injured, 2 children are missing and residential buildings were destroyed. In Ganja, the second largest city in Azerbaijan with a population of about 500,000, the most densely populated areas were hit by missiles. The aim of the missile fires on civilian buildings by Armenia in the city of Ganja is to cause mass casualties and panic among the population, thereby gaining new positions

---

<sup>14</sup> <https://www.bbc.com/news/world-europe-40504373>

<sup>15</sup> <https://jam-news.net/nagorno-karabakh-protest-inauguration-president-armenian-leadership/>

<sup>16</sup> <https://en.trend.az/azerbaijan/karabakh/3268498.html>



in the territories belonging to Azerbaijan by force. This leads too many casualties because it is directed towards innocent civilians, and amounts to war crimes.<sup>17</sup>

heavily outnumbered and killed. More fleeing civilians kept on coming onto a scene of appalling carnage. A Khojali resident, Hijran Alekpera, told Human Rights Watch:

By the time we got to Nakhichevanik it was 9:00 A.M. There was a field and there were many people who had been killed. There were maybe one hundred. I didn't try to count. I was wounded on th[is] field. Gajiv Aliev was shot and I wanted to help him. A bullet hit me in

less people on the ground.<sup>25</sup>

Slowly the news got out that a massacre had taken place at Khojali. At first many in the outside world were reluctant to believe it because most international media coverage of the conflict had hitherto portrayed the Armenians as the main victims of the conflict, rather than aggressors. A self-justificatory newspaper interview given in April 1992 by the former Azerbaijani president Ayaz Mutalibov did not help. Mutalibov, seeking to minimize his own role in the failure to defend the town, put the blame for the massacre on the Popular Front. His interview was much quoted in Armenia.<sup>26</sup>

Yet Armenians now do admit that many Azerbaijani civilians were killed as they fled Khojali. Some blame irregular Armenian fighters, acting on their own behalf. An Armenian police officer, Major Valery Babayan, suggested revenge as a motive. He told the American reporter Paul Quinn-Judge that many of the fighters who had taken part in the Khojali attack "originally came from Sumgait and places like that."<sup>27</sup>

AUGUST 1991–MAY 1992: WAR BREAKS OUT 171

the belly. I could see where they were shooting from. I saw other bodies in the field. They were newly killed—they hadn't changed color.<sup>23</sup>

A few days later, a terrible aftermath greeted the reporters and investigators who came to these hillsides. Torn bodies littered the snowy ground. Anatol Lieven of *The Times* noted that "several of them, including one small girl, had terrible injuries: only her face was left." The Azerbaijani prosecutor Yusif Agayev saw powder around the gunshot wounds and concluded that many of the victims had been shot at point-blank range: "They were shot at close range. We went to the place where it happened. It was obvious to me as a specialist."<sup>24</sup> As well as those shot down, dozens of victims died of cold and frostbite in the woods. More than a thousand Khojali residents were taken prisoner, among them several dozen Meskhetian Turks, refugees from Central Asia.

There are varying estimates of how many Azerbaijanis were killed in or near Khojali. Probably the most reliable figure is that of the official Azerbaijani parliamentary investigation, which put the death toll at 485. Even taking into account that this number includes combatants and those who died of cold, it still dwarfs any body count of the Nagorno Karabakh war. The number of Azerbaijanis who returned fire was small; this could not excuse the clear targeting of hundreds of civilians, including children, in an open space and the shooting of defenseless people on the ground.<sup>25</sup>

Slowly the news got out that a massacre had taken place at Khojali. At first many in the outside world were reluctant to believe it because most international media coverage of the conflict had hitherto portrayed the Armenians as the main victims of the conflict, rather than aggressors. A self-justificatory newspaper interview given in April 1992 by the former Azerbaijani president Ayaz Mutalibov did not help. Mutalibov, seeking to minimize his own role in the failure to defend the

172 AUGUST 1991–MAY 1992: WAR BREAKS OUT

Asked about the taking of Khojali, the Armenian military leader Serzh Sarkisian said carefully, "We don't speak loudly about these things." "A lot was exaggerated" in the casualties, and the fleeing Azerbaijanis had put up armed resistance, he claimed. Sarkisian's summation of what had happened, however, was more honest and more brutal:

But I think the main point is something different. Before Khojali, the Azerbaijanis thought that they were joking with us, they thought that the Armenians were people who could not raise their hand against the civilian population. We were able to break that [stereotype]. And that's what happened. And we should also take into account that amongst those boys were people who had fled from Baku and Sumgait.

Sarkisian's account throws a different light on the worst massacre of the Karabakh war, suggesting that the killings may, at least in part, have been a deliberate act of mass killing as intimidation.

## **"Black Garden: Armenia and Azerbaijan through Peace and War"** **By Thomas de Waal**

<sup>17</sup> <https://www.dailymail.co.uk/news/article-8849997/Ganja-missile-strike-kills-12-injures-40-Armenia-Azerbaijan-fight-escalates.html>

Up to this day, about 292 civilians have been hospitalized with various injuries, 63 civilians have been killed, 386 civilian facilities, 1,981 houses and 90 apartment buildings have been destroyed as a result of terroristic attacks by the Armenian armed forces. These attacks by the Armenian armed forces, which target civilian objects and civilians in violation of international humanitarian law, continue and, unfortunately, cause new casualties and destructions each day.







The Declaration on the Protection of Women and Children in Emergencies and Armed Conflict, adopted by the UN General Assembly on 14 December 1974 states that, countless attacks on the civilian population, especially women and children, who are the most vulnerable part of the population, are prohibited and should be condemned.<sup>18</sup>

UN member states must fulfill their obligations under the Geneva Protocol of 1925 and the Geneva Conventions of 1949, which provide important guarantees for the protection of women and children, as well as other international legal instruments on respect for human rights in times of armed conflict.<sup>19</sup>

Therefore, the Armenian armed forces obviously violated the provisions of the international humanitarian law and is continuing committing war crimes and we strongly condemn such criminal acts by the Republic of Armenia.

The Azerbaijani Bar Association appeals to the bar associations and law societies, international organizations and embassies of foreign countries to condemn the criminal acts committed by the Republic of Armenia.

**Annex:** The Response of The Azerbaijani Bar Association to the allegations voiced by the international media representatives and the officials of the Republic of Armenia.

Sincerely,

**Anar Baghirov, Ph.D**

**Chairman**

<sup>18</sup> [https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.19\\_declaration%20protection%20women%20armed%20conflict.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.19_declaration%20protection%20women%20armed%20conflict.pdf)

<sup>19</sup> <https://www.icrc.org/en/doc/assets/files/publications/icrc-002-0173.pdf>

**With regard to the allegations voiced by the international media representatives and the officials of the Republic of Armenia, we would like to note the following:**

## **1. Who initiated the war or hostilities?**

Armenian government needed to create a border provocation with Azerbaijan to divert its population's attention from its poor handling of the pandemic and economic problems. Acting from this motive, Armenia attacked Tovuz region of Azerbaijan, which is far away from the conflict zone and with strategic pipelines passing in the vicinity. Being defeated there, between July and September, Armenia prepared for new casualties, buying weapons and recruiting PKK terrorists for a new war against Azerbaijan. This strategy aligns with the publicly announced threatening statement of Armenian Minister of Defence David Tonoyan as **"New war for new territories"**, which he declared "will rid Armenia of this trench condition, the constant defensive state, and will add the units which may shift the military actions to the territory of the enemy".<sup>1</sup>

President of the Republic of Azerbaijan, Ilham Aliyev informed the international community regarding the potential provocation prepared by the Armenian government at the meeting of the 75th anniversary of the United Nations and called on the UN and international community to urge Armenia to refrain from another military aggression.<sup>2</sup>

"Changing the demographics of the occupied territories by bringing in refugees of Armenian origin from Lebanon, Syria and Iraq is one thing, even though unlawful, but populating Nagorno-Karabakh with PKK militants, classified by all Western countries, including the US and the EU, as a terrorist organisation, is another."<sup>3</sup>, wrote James Willson from Eureporter, 4 days before the escalation, which points to the new provocation planned by the Armenian government.

With regard to the several claims as to registration of pick-ups and military trainings for servicemen by Azerbaijan before the rise of the conflict, please note that these measures are conducted regularly in accordance with the Article 45 of the Law of the Republic of Azerbaijan on "Military duty and Military service"<sup>4</sup> and the Article 1.3 of the decision of the Cabinet of Ministers dated 4 April 2006 on "Rules for the registration of the military equipment"<sup>5</sup>. President Ilham Aliyev has repeatedly indicated the potential wage of war by Armenia, and registration of military equipment and military trainings for military servicemen only have the defensive purpose and complies with the requirements of the mentioned legal acts.

## **2. On which side, the mercenaries are involved?**

### **a) International obligations.**

Please note that Azerbaijan joined the 1989 Convention Against the Recruitment, Use, Financing and Training of Mercenaries in 1997. Apart from that, it is also unlawful under the laws of the Republic of Azerbaijan (Article 114 of the Criminal Code) to recruit mercenaries. Therefore, any allegation regarding the recruitment of mercenaries is groundless. Azerbaijan has always complied with its international and domestic obligations arising from the international and domestic legislation and will continue to do so. Armenia and its supporters fail to provide any evidence regarding their allegations.

---

<sup>1</sup> <https://www.euractiv.com/section/azerbaijan/opinion/caucasus-armenias-new-war-for-new-territories/>

<sup>2</sup> <https://en.president.az/articles/42798>

<https://youtu.be/MxifMSaLtkg>

<sup>3</sup> <https://www.eureporter.co/frontpage/2020/09/23/pkks-involvement-in-the-armenia-azerbaijan-conflict-would-jeopardize-european-security/>

<sup>4</sup> <http://www.e-qanun.az/framework/23021>

<sup>5</sup> [http://e-qanun.az/alpidata/framework/data/11/f\\_11665.htm](http://e-qanun.az/alpidata/framework/data/11/f_11665.htm)



On the other side, unlike Azerbaijan, Armenia is not a party to the mentioned Convention, which does not bind Armenia to refrain from the recruitment of mercenaries. International media before the start of war has urged the international community about the recruitment of PKK terrorists and Syrian mercenaries of Armenian origin by Armenia. Russian media reports that USA, France and Russian citizens of Armenian origin fights in the side of Armenia against Azerbaijan<sup>6</sup> and Armenian officials have also called upon the citizens of other countries of Armenian origin to join this conflict by making relevant changes to its law on defense.<sup>7 8</sup>

## **b) Threats to the energy security of Europe**

Azerbaijan is well aware that recruitment of terrorists would pose a threat to the security of the region, besides the energy security of the Europe. Azerbaijan intends to play a huge role in the energy security of Europe with its projects as TAP, TANAP, Baku Tbilisi Ceyhan (BTC), Baku–Tbilisi–Supsa, Baku-Novorossiysk and the Southern Caucasus pipeline, therefore this is in the interest of Azerbaijan to refrain from any action which would threaten the implementation of these projects. However, Armenia with its provocations against Tovuz region (locating in the vicinity of major oil and gas pipelines) in July, its recruitment of PKK terrorists and missile attacks to the BTC and Baku-Novorossiysk pipeline is highly interested in jeopardizing the future role Azerbaijan would play in the energy security of Europe.

Armenia fired a cluster to damage the BTC pipeline on 6 October, and launched missile strikes to Baku- Novorossiysk pipeline but was unsuccessful in its attempts. If such a damage occurs, it will cause interruptions in the operation of this important pipelines and millions of Europeans will find it harder to access reliable energy, and it will also cause an environmental catastrophe.<sup>9</sup>

## **c) Comparison of Military manpower**

As the President of the Republic of Azerbaijan, Ilham Aliyev, has repeatedly stated in his interviews to the international media representatives, Azerbaijan does not need to recruit mercenaries since its army consists of 100.000 fighters<sup>10</sup> and its total military personnel exceeds 426.000<sup>11</sup>. Azerbaijan's available manpower is over 3.000.000 while in Armenia this is only 809.000<sup>12</sup>. This comparison<sup>13</sup> regarding military power of Azerbaijan and Armenia proves which side is in the desperate need of recruiting mercenaries.

## **d) Eaten by boars**

Having failed to provide an evidence for the involvement of Syrian mercenaries, Armenian Ministry of Defence spokesperson claimed that their corpses were sent back to Syria or were eaten by wild boars in the swamps of the Araks river. <sup>14</sup>

## **e) Alleged evidences**

Armenia or its supporters have only made claims to having evidences regarding involvement of mercenaries, but have not released any of them.

---

<sup>6</sup> <https://ura.news/articles/1036281271>

<sup>7</sup> <https://en.trend.az/azerbaijan/politics/3316547.html>

<sup>8</sup> [https://www.liberation.fr/france/2020/10/11/de-marseille-a-erevan-un-militant-marque-au-front\\_1802057](https://www.liberation.fr/france/2020/10/11/de-marseille-a-erevan-un-militant-marque-au-front_1802057)

<sup>9</sup> <https://www.euractiv.com/section/azerbaijan/opinion/attacks-by-armenia-against-azerbaijani-civilians-and-critical-infrastructure-should-not-be-overlooked/>

<sup>10</sup> <https://menafn.com/1100968687/We-have-no-foreign-mercenaries-President-Aliyev>

<sup>11</sup> [https://www.globalfirepower.com/country-military-strength-detail.asp?country\\_id=azerbaijan](https://www.globalfirepower.com/country-military-strength-detail.asp?country_id=azerbaijan)

<sup>12</sup> [https://armedforces.eu/compare/country\\_Azerbaijan\\_vs\\_Armenia](https://armedforces.eu/compare/country_Azerbaijan_vs_Armenia)

<sup>13</sup> *ibid.*

<sup>14</sup> <https://news.am/rus/news/607842.html>

Although Armenia claims that Director of the Foreign Intelligence Service of the Russian Federation Sergei Naryshkin states the involvement of mercenaries by Azerbaijan, this does not reflect the reality. If you take a look at the statement<sup>15</sup>, you can see that he only states the existence of mercenaries in Nagorno Karabakh region and does not state in which side they fight for.

However, Azerbaijan's State Security Service released audio recordings of a dialogue between two PKK terrorists who had come to the region to fight alongside Armenian separatists.<sup>16</sup>

"According to the intercepted conversations, the terrorists discuss the precarious situation on Armenia's side and numerous losses. They also talk about how the Azerbaijani side effectively uses drones and regret having come to the war zone and being deceived by the Armenians. Here we present the abovementioned materials," the service noted.<sup>17</sup>

Apart from that, the officials of the Republic of Azerbaijan have repeatedly stated that they have a lot of photo and video footages testifying the involvement of mercenaries on Armenia's side.

Defense Ministry spokesman Anar Eyvazov said in a statement that some of the dead bodies found among the casualties of the Armenian army were determined to be mercenaries of Armenian origin who came from Syria.<sup>18</sup>

The issue is that Armenia has a long-term practice in deploying mercenaries and recruiting terrorists, which was also the case during the Nagorno-Karabakh war in 1990s. Even back in the Soviet times, Kurds were instrumentalised by Russia and Armenia, the former having established the autonomous region of Red Kurdistan in Nagorno-Karabakh in 1923-1929 to facilitate the resettlement of Kurds living in Azerbaijan, Armenia and Iran to the region.<sup>19</sup>

### **3. Shelling of civilians and targeting cultural property**

The officials of Armenia have sufficed by citing various international legislation, without indicating and providing evidence of how Azerbaijan has violated them. Although they claim civilian casualties, Azerbaijan has more civilians killed and wounded since the rise of the new conflict.

We will provide following facts as to how Armenia has violated the international legislation:

#### **a) Article 3 of the Convention on the Protection of Civilian Persons in the Time of War**

In an interview with TV show "Vesti" aired on the Russian TV channel Russia-1 on 8 October, Vagharshak Harutyunyan, the chief adviser to Prime Minister Nikol Pashinyan, openly stated that Armenia is purposefully bombarding peaceful cities of Azerbaijan and targeting civilians to create panic among them.<sup>20</sup>

This statement explains how Armenia has made it its state strategy to target civilians and has confessed to purposefully committing war crimes. Since the rise of the conflict, Armenia has shelled densely populated areas, strategically important civilian and energy infrastructure, which are far from the frontline such as Ganja, Mingachevir, Barda, Nakhchivan, Tartar, Beylagan, Khizi-Absheron region. As a result of these attacks on civilians, over 56 civilians were killed.

---

<sup>15</sup> <http://www.svr.gov.ru/smi/2020/10/o-situatsii-vokrug-nagornogo-karabakha.htm>

<sup>16</sup> <https://thefrontierpost.com/dialogue-of-pkk-terrorists-fighting-for-armenia-intercepted-by-azerbaijani-intelligence/>

<sup>17</sup> *ibid*

<sup>18</sup> <https://www.aa.com.tr/en/asia-pacific/azerbaijan-armenian-syrian-mercenaries-helping-armenia/1988447>

<sup>19</sup> <https://www.eupoliticalreport.eu/pkks-involvement-in-the-armenia-azerbaijan-conflict-would-jeopardise-european-security/>

<sup>20</sup> <https://caspiannews.com/news-detail/pashinyans-advisor-confirms-armenias-deliberate-attacks-on-azerbaijani-civilian-settlements-2020-10-9-0/>

Russian military expert Igor Korotchenko expressed confidence that by shelling Azerbaijani cities, Yerevan is trying to provoke Baku into tit-for-tat response. If Yerevan can demonstrate that military activities are taking place not only in the territory of the occupied Nagorno-Karabakh region of Azerbaijan, but also in Armenia itself, then it can demand military support from Russia.<sup>21</sup>

Armenia has continually attempted to widen this conflict by provoking Azerbaijan to shell Armenia's territories so that it can attract Russia into this conflict based on Collective Security Treaty Organisation. Launching missile attack against Nakhchivan Autonomous Republic on October 16<sup>22</sup> reflects Armenia's attempt to attract Turkey, which is the guarantor for the security of Nakhichevan Autonomous Republic based on Kars and Moscow Treaties of 1921. This way, they can widen the conflict involving Russia against Turkey.

#### **b) Shelling Ganja in return for operations conducted in Khankendi (Stepanakert)**

International media representatives and Armenian officials have justified Armenia's attack on Ganja with Azerbaijan's military operations in Khankendi (Stepanakert). However, we would like to bring to your attention the following differences between these two cases:<sup>23</sup>

- i) Ganja is the second largest city of Azerbaijan, with a population of approximately 500.000. On the other side, Khankendi (Stepanakert) locates in Azerbaijan's internationally recognized territory occupied by Armenia and its population is 55.200.
- ii) While residents of Ganja live almost 100 km away from the conflict zone, Khankendi (Stepanakert) is in the epicenter of the conflict.
- iii) Residents of Ganja were not aware of a potential ballistic missile as they live away from the conflict zone and one of many missile attacks happened just after a humanitarian ceasefire agreed between the parties. Two largest attacks happened midnight when people were sleeping. With regard to Khankendi (Stepanakert), its residents have been previously warned by the Republic of Azerbaijan that military units situated in occupied territories will be targeted, and residents were asked to evacuate to prevent any damage.
- iv) Without any prior notification, densely populated area (Ganja) were shelled by Armenia with ballistic missiles in the middle of the night, killing and wounding innocent civilians. Whereas in Khankendi, following the warnings issued by Azerbaijani forces, an air siren sounds, giving the civilians enough time to seek shelter or evacuate.

#### **c) The Convention on Laws and Customs of War on Land signed in The Hague on October 18, 1907, article 25**

Azerbaijan has not shelled a single shot at Armenia, all its operations are in its internationally recognized territory carrying the purpose of liberating those regions. President Ilham Aliyev has repeatedly stated that our government will respond to the Armenia in the battlefield, we don't fight with civilians.<sup>24</sup>

On the other side, Armenia deliberately and purposefully targets civilians who live far away from the conflict zone.

#### **d) The Convention for the Suppression of the Financing of Terrorism on 09.12.1999.**

<sup>21</sup> <https://caspiannews.com/news-detail/pashinyans-advisor-confirms-armenias-deliberate-attacks-on-azerbaijani-civilian-settlements-2020-10-9-0/>

<sup>22</sup> <https://www.aa.com.tr/en/asia-pacific/armenia-launches-rocket-attack-on-ordubad-nakhchivan-/2008475>

<sup>23</sup> <https://twitter.com/nargismag/status/1317874709841780737?s=19>

<sup>24</sup>

[https://azertag.az/en/xeber/President Ilham Aliyev We are responding to them on the battlefield we are avenging and will continue to avenge the deaths of innocent civilians on the battlefield-1616413](https://azertag.az/en/xeber/President%20Ilham%20Aliyev%20We%20are%20responding%20to%20them%20on%20the%20battlefield%20we%20are%20avenging%20and%20will%20continue%20to%20avenge%20the%20deaths%20of%20innocent%20civilians%20on%20the%20battlefield-1616413)



Armenia use the funds received under the name of humanitarian aid to buy new ballistic weapons and committing crimes against innocent people in Azerbaijan. Besides, The Armenian Republic has supported terrorism at the state level and turned it into its state policy. There are more than 13 Armenian terrorist organisations, which have committed terrorist attacks in various countries, one of these being Armenian Secret Army for the Liberation of Armenia (ASALA). Founded in 1975 in Beirut, Lebanon, during the Lebanese Civil War, ASALA is responsible for hundreds of bloody terror acts.<sup>25</sup> CIA defines ASALA as a “continuing international threat”.<sup>26</sup>

**e) Protocol No. 1 of the Convention for the Protection of Civilian Persons in the Time of War, signed in Geneva on 12.08.1949**

Unlike Armenia, Ministry of Defense of the Republic of Azerbaijan has officially stated that the Azerbaijan Army does not target the civilian population, civilian facilities, and civilian infrastructure, making calls for the civilian population in the occupied territories **to stay away from military facilities**.

Please consider that Nagorno-Karabakh is internationally recognized territory of the Republic of Azerbaijan, therefore it is illegal to visit this territory without permission of Azerbaijan. Armenia has put the lives of journalists in danger by inviting them to this area without taking necessary measures to clearly distinguish them. "Of particular concern is the fact that in some cases, attracting journalists and other media workers to the war zone, Armenia, apparently, deliberately does not take the necessary measures to clearly distinguish them from combatants," the Ministry of Foreign Affairs of the Republic of Azerbaijan indicated.<sup>27</sup>

**f) Claims regarding shelling of Armenian church**

While Armenia condemns Azerbaijan of an alleged shelling of its church, Armenia has damaged a Russian Orthodox Church with its missile attacks against Ganja city on October 11, 2020.<sup>28</sup>

Unlike Armenia, Azerbaijan is a multinational and secular country, being home to diverse religious beliefs. Armenian church in the center of Azerbaijan still operates, while Armenia has humiliated the mosques in its territory by turning them into stalls.

Armenia's allegation regarding the shelling of its church is nothing, but its failed attempt to play the religion card and turn this conflict into a religious war.

**4. Use of cluster munitions**

We would like to note that Armenia fired a cluster rocket, which struck only 10 meters away from the BTC line in the central-western Yevlakh region, ejecting more than 300 cluster bomblets.<sup>29</sup>

Please also take into consideration that Artsakh Republic, Armenian officials refers to is nothing, but a puppet regime, not recognised by any country in the world, including Armenia itself. Under Article 51 of the Charter of the United Nations, Azerbaijan has a legal right to self-defense and this right can continue until the liberation of all occupied territories.<sup>30</sup>

---

<sup>25</sup> <https://www.aa.com.tr/en/politics/ypg-pkk-forms-new-armenian-terror-group-in-syria/1461899>

<sup>26</sup> <https://www.cia.gov/library/readingroom/docs/CIA-RDP85T00283R000400030009-2.pdf>

<sup>27</sup> <https://tass.ru/mezhdunarodnaya-panorama/9658831>

<sup>28</sup> <https://en.trend.az/azerbaijan/politics/3316688.html>

<sup>29</sup> <https://www.spglobal.com/platts/en/market-insights/latest-news/natural-gas/100720-major-caucasus-oil-gas-pipelines-unaffected-by-rocket-attack-azerbaijans-socar>

<sup>30</sup> <https://www.aa.com.tr/en/azerbaijan-front-line/azerbaijan-has-right-to-reclaim-its-land-say-experts/1994253>