



# General Assembly

Distr.: General  
20 March 2024

English only

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## Human Rights Council

### Fifty-fourth session

11 September–13 October 2023

Agenda item 4

### Human rights situations that require the Council's attention

## **Written statement\* submitted by Institut International pour les Droits et le Développement, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2023]

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\* Issued as received, in the language of submission only.



## **Landmines: Obstacles to Peace and Development**

Landmines are one of the most environmentally destructive aftermaths of war facing the world today. The global landmine problem has transcended both humanitarian and sociological concerns to bring about environmental damage. Landmines are having devastating impacts on the economy, leading to loss of biodiversity, ecological crisis, soil contamination, loss of productivity, a threat to food security, community health, poverty, and social marginalization. Landmines are a threat to sustainable development as all the above issues are interlinked. Its contamination led to the under-development of a nation because of access denial to utilize natural resources like water, forest, land, etc.

In 2019, the Red Cross mission in Nagorno Karabakh reported that it had registered 747 casualties from landmines since the early 1990s, 59% of whom were civilians. Since the ceasefire in November 2020 and up to March 31, 2023, ANAMA has recorded 288 casualties in the liberated territories, including at least nine children. While the war and occupation may be over, they have continued to claim lives – but their impact is not limited to the immediate threat of bodily harm. Beyond the direct danger of death or injury, most Karabakhis living in mined areas are dependent on agricultural land or woodland to support their families – lands which have been heavily degraded by mines and ERW for decades: wherever they are scattered, mines outlive their legitimate military objective and continue to contaminate the environment for decades to come, with large tracts of land becoming uncultivable and uninhabitable. In a region largely dependent on agriculture, the loss of arable lands has a significant detrimental effect on food security and livelihoods. Life in the liberated territories remains both hard and dangerous for those who have been lucky enough to return.

Azerbaijan has reached out to Armenia for maps of the formerly occupied territories, Armenian officials initially denied having such maps, before agreeing to exchange some for detained soldiers. However, a series of contradictions ensued: Azerbaijani sources say the maps received cover only 5% of the regained areas, and that only 25% of these maps are accurate; Armenia says it provided all the maps in its possession and accused Azerbaijan of reneging on the deal by designating some Armenian soldiers as terrorists and saboteurs rather than prisoners of war, to avoid handing them over. Azerbaijan maintains that those detained after the ceasefire cannot be considered prisoners of war, as the document pertains only to those taken hostage before it was signed in November 2020. The ensuing lack of data on the locations of minefields magnifies the challenge and cost of locating and defusing the explosives and increases the risk of death and injury for both de-miners and residents.

The Armenian side denied Azerbaijan's accusations that Armenia is laying mines and emphasized that Yerevan has given Baku all maps of minefields. On the other side, ANAMA confirmed that the presented minefield maps don't contain accurate information according to recent information provided by ANAMA to Institut International pour les Droits et le Développement (IRDG).

## **Landmines in Azerbaijan Continue to Pose a Lethal Threat to Peace and Development**

The return home remains a distant hope for hundreds of thousands of displaced Azerbaijanis, whose villages were reclaimed from Armenian control after the “Second Karabakh War” (2020). The challenge of removing mines and explosive remnants of war remains a major obstacle facing authorities before the liberated territories can be repopulated and developed, and before the peace agreement signed in 2020 can be fulfilled. The right to a clean environment for returning home has to consider the proper treatment and handling with the mines and explosive remnants and the disposal of the hazardous liquids during mining action.

At the end of the “Second Karabakh War” (2020), Azerbaijan reclaimed most of the territory it had lost to Armenia in the “First Karabakh War” (1991-1994), namely a significant portion of the Armenian-majority Nagorno Karabakh region, and the seven occupied regions surrounding it.

Under the nine articles of the November 10 tripartite agreement, Russian peacekeepers patrolled, as they continue to do today, the parts of Nagorno Karabakh which remain under the control of self-proclaimed local Armenian authorities; Armenian armed forces were required to withdraw; access between Nagorno Karabakh and Armenia was to be guaranteed by the Lachin corridor; prisoners of war and hostages were to be exchanged; a corridor was to be built providing access between Azerbaijan and its exclave Nakhichevan; and, per the seventh article, "Internally displaced persons and refugees shall return to the territory of Nagorno-Karabakh and adjacent areas under the control of the Office of the United Nations High Commissioner for Refugees." To this day, most of these obligations have not been fulfilled, and the peace process as a whole is proceeding at a crawl.

Hopes for the 'great return' promised by Azerbaijani authorities ran high following the ceasefire. At this point, displaced communities included the children and grandchildren of people initially displaced by the conflict, and today those displaced by the "Karabakh wars" number over 650,000. Before citizens could be allowed to return to their villages, however, thousands of hectares of land would need to be cleared of mines and explosive remnants of war (ERW), and essential civilian infrastructure, including houses, schools, and healthcare, would need to be rebuilt – a challenge which is still ongoing to this day.

## Obstacles to Peace

In December 2022, many local NGOs were protesting against what they call the illegal operation of the mines of Azerbaijan to be prevented. According to Azerbaijani NGO, representatives, they explained that Armenians are "ruthlessly exploiting" mines in the southern Caucasus' Karabakh region which is under the control of the Russian peacekeeping contingent and have almost plundered it.

Speaking to Anadolu Agency, NGO representatives said "According to the information we have, 70% of the so-called Armenian administration's income is obtained from these mines belonging to Azerbaijan. We want the commander of the Russian forces to come here and listen to us. He should also promise that our experts will be allowed to conduct inspections in the mines," the representative added. They wanted the illegal operation of the mines of Azerbaijan to be prevented, and they would continue their protests until their demands are met.

Azerbaijan sent a diplomatic note to the Russian Federation concerning the "illegal exploitation" of natural resources in the liberated Karabakh region, as its officials were prevented from entering the area. A statement from the Azerbaijani Foreign Ministry said that illegal exploitation and looting of natural resources was observed, especially in the Kyzylbulag gold and Demirli copper-molybdenum mines.

## Conclusion

Landmines are devastating to all levels of society i.e. individual, family, community, and nation. The social-economic and other humanitarian impact of landmines have outweighed their military utility in warfare. They tear up the social fabric of nation, threatening not only to present but also the future generation. They hinder the development process, lead to loss of biodiversity, soil contamination and threat to survival by denying access to the resources.

Landmines' utility can in no way be justified because of their everlasting and indiscriminate nature. They pose a grave threat to sustainable development and thereby to future generation. Landmines cause multifaceted and interconnected ecological and socio-politico-economic problems. Landmines threaten the fragility of the natural environment by changing the quality and cover of land, abuse of biotic resources, and habitat destruction. Landmines pose a lose-lose situation because they will cause land degradation whether they are buried in the ground or detonated. Therefore, it is clear that there can be no blueprint for sustainable development in mine-affected regions. Demining is a pre-requisite for the development of mine-contaminated areas and signing the Ottawa treaty is a step towards sustainable development in mine-affected areas.

Landmines cast a constant shadow over the development agenda in Azerbaijan. Resettlement of refugees is made more hazardous. Good land is put out of bounds. Recovery from war is delayed. Aid workers themselves are put at risk. The right to a clean environment has to consider the appropriate handling and disposal of these hazardous liquids during mine action, in an environmentally acceptable manner.

Rebuilding their lives in the liberated territories goes beyond being able to access the rubble of their homes: Azerbaijanis must have access to a functioning and safe civilian infrastructure, such as clean water and healthcare; to land or other livelihoods which they can use to support themselves and their families; and to social capital and education opportunities to generate social and economic development.

Institut International pour les Droits et le Développement (IRDG) calls on the international community to assist in elaborating on solutions that are sustainable and equitable, based on the rights for development and the Obligation Not to Cause Significant Harm, and to support the peace efforts in the region.

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