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General and complete disarmament

Conventional arms control at the regional and subregional levels

Report of the Secretary-General

Addendum**

Contents

	<i>Page</i>
II. Replies received from Member States	2
Azerbaijan	2
Madagascar	4

* A/68/150.

** The information contained in the present document was received after the submission of the main report.



II. Replies received from Member States

Azerbaijan

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[30 August 2013]

General

Conventional arms control regimes are important instruments for ensuring stability, predictability and transparency in the military sphere. As a complex politico-military arrangement, any conventional arms control regime requires a high degree of commitment by States parties to its underlying principles, as well as scrupulous observation by them of the norms and principles of international law, which constitutes a basic foundation of any arms control regime.

Azerbaijan signed the Tashkent Agreement on the Principles and Procedures for the Implementation of the Treaty on Conventional Armed Forces in Europe (CFE Treaty) in 1992 and the Adapted CFE Treaty in 1999. Although the Tashkent Agreement has not been ratified by Azerbaijan, and thus does not constitute a legally binding obligation, Azerbaijan has been voluntarily applying and observing all the provisions of the CFE Treaty. Within the CFE Treaty and the Vienna Document 2011 on Confidence- and Security-Building Measures, Azerbaijan demonstrates its commitment to transparency measures by participating in regular information and notification exchanges and receiving inspections.

Azerbaijan is actively engaged in the ongoing discussions on the future of the conventional arms control regime in Europe, aimed at overcoming the current impasse around the CFE Treaty. Azerbaijan is of the view that any future mechanism must, inter alia, be based on the CFE Treaty and Adapted CFE Treaty provisions; provide for accountability and control by its State party with regard to all conventional armaments and equipment limited by a new mechanism within its area of application; provide for the presence, within its area of application, of military forces of one State party on the internationally recognized territory of another in conformity with international law and the explicit consent of the host State party; reconsider the ceilings of conventional armaments and equipment allowed by the CFE Treaty regime so that the total better reflects the current security conditions and objective criteria in the Treaty applications zone and actual Treaty-limited equipment holdings, as appropriate; and be applied only in peacetime.

Violation of the Treaty on Conventional Armed Forces in Europe by Armenia

The continued occupation by Armenia of the territories of Azerbaijan is a major obstacle to the full implementation of the CFE Treaty in the South Caucasus region. The fundamental principle of the CFE Treaty is the obligation of its States parties under international law “to refrain in their mutual relations, as well as in their international relations in general, from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes and principles of the Charter of the United Nations”. Armenia flagrantly violated that international legal obligation by using military force to occupy the territory of Azerbaijan, carry out ethnic cleansing there and establish on the occupied territory an ethnically constructed subordinate separatist entity. It has been internationally recognized, including by the General Assembly

and the Security Council, that the Daghlyq Garabagh (Nagorno-Karabakh) region and seven surrounding districts of Azerbaijan are under Armenian military occupation.

Another fundamental principle of the CFE Treaty, which Armenia violates, is the “host nation consent”, defined by article IV (5) of the Treaty, providing that no State party can station conventional armed forces on the territory of another State party without the agreement of that State party.

For years, Armenia has continued its military build-up in the occupied territories of Azerbaijan. In violation of its CFE Treaty obligations, Armenia has deployed to those territories more than 40 well-equipped combat units with up to 350 battle tanks, 398 armoured combat vehicles, 425 artillery systems (calibre 100mm and above) and about 45,000 military personnel. Over the past years, Armenia has acquired but not declared 21 battle tanks, 61 armoured combat vehicles and 54 artillery systems. The cumulative number of the declared and undeclared Treaty-limited items of equipment of Armenia is 481 battle tanks, 599 armoured combat vehicles and 718 artillery systems, as well as 91,804 military personnel (contrary to the allowed ceilings of 220 battle tanks, 220 armoured combat vehicles and 285 artillery systems, as well as 60,000 military personnel). However, Armenia officially declares its national holdings as only 109 battle tanks, 143 armoured combat vehicles, 232 artillery systems (calibre 100mm and above) and 44,787 military personnel.

In addition to the above-mentioned figures, it has been identified that, during the past two years, Armenia has received and transferred to the occupied territories of Azerbaijan more than 300 pieces of battle tanks, armoured combat vehicles and artillery systems.

Armenia’s continued violation of the CFE Treaty obligations has been recognized by the States parties to the Treaty. Thus, the report of the United States Department of State on “Compliance with the Treaty on Conventional Armed Forces in Europe” (available from www.state.gov/t/avc/rls/rpt/2013/211892.htm), issued in January 2013, unequivocally stated that “although Armenia has expressed its full support for the Treaty, Armenia has not fulfilled some of its Treaty obligations. Compliance issues, all previously reported, include: (1) declared reduction liabilities that are not in accord with Treaty requirements, with consequent failure to complete necessary reductions; (2) reported stationing of forces on the territory of Azerbaijan without Azerbaijani consent; (3) apparent failure to declare all MT-LBu variant armoured personnel carrier (APC) look-alikes; (4) possible unreported holdings of conventional armaments and equipment subject to the Treaty; and (5) possible failure to report BTR-80 armoured vehicles as APCs or APC look-alikes”.

The report further informs that “An inspection conducted by Denmark at Yeghvard, Armenia, June 4-7, 2012, observed TLE — almost 60 battle tanks, over 50 armoured infantry fighting vehicles, and about 120 APCs — not assigned to this site[...] The Nagorno-Karabakh conflict appears to be a major influence affecting most of Armenia’s compliance issues, as well as an important factor in the issue of uncontrolled and unaccounted for equipment limited by the Treaty”.

Comparative analysis of the population, territory, annual budget and gross domestic product of Armenia vis-à-vis its annual military expenditures, military personnel, quantity of procured armaments and the amount of foreign military

assistance received shows that Armenia is the most militarized country of the South Caucasus. Armenia regularly conducts large-scale military exercises in the occupied territories of Azerbaijan, which are attended by the president, minister of defence and other high-level officials of Armenia.

The continued occupation by Armenia of the territories of Azerbaijan, the former's militaristic policy and the regular ceasefire violations committed by its armed forces, including attacks on both military and civilian objects in Azerbaijan, and the open propaganda by the leadership of Armenia of ethnic and religious hatred and intolerance against its neighbours pose a serious threat to regional and international peace, security and stability and require the constant attention and reaction of the United Nations and the broader international community.

Armenia must immediately withdraw its armed forces from the Daghylyq Garabagh region and other occupied territories of Azerbaijan, constructively engage in the negotiations on a settlement of the conflict and respect the territorial integrity and inviolability of the internationally recognized borders of the neighbouring countries, thus paving the way for the achievement of lasting peace, security and stability and the establishment of a workable arms control regime in the region.

Madagascar

[Original: French]

[12 July 2013]

The efforts of the Malagasy armed forces in conventional arms control to help establish a tolerable security environment at the regional and subregional levels are focused on countering small arms and light weapons proliferation and combating and controlling the circulation of arms and ammunition.

To that end, amendments to laws and regulations in effect (Act No. 69-011 of 22 July 1969 on the arms regime and Decree No. 1545 of 14 April 1970 on the reclassification of arms) have been drafted and put before Parliament, where they are pending adoption. In addition, inspections and inventory reports are systematically completed at all levels of the military hierarchy to evaluate and verify the implementation of arms and ammunition security instructions.