

Digest of State Practice

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1. Europe

Greece-Turkey: Tensions increase over the Aegean and the wider eastern Mediterranean Sea

There were increasing tensions between Greece and Turkey in the Aegean and the wider eastern Mediterranean Sea during this reporting period. The signing of the Greece-Egypt Maritime Delimitation Agreement on 6 August 2020¹ designated an exclusive economic zone in the eastern Mediterranean between Greece and Egypt. Turkey claimed that the agreement between Greece and Egypt was ‘null and void’ because the exclusive zone designated in the agreement fell in the area of Turkey’s continental shelf and ‘[t]his so-called agreement also attempts to usurp the rights of Libya.’² Turkey warned:

It is without a doubt that Turkey will not allow any activity at the area in question and will resolutely continue to defend its legitimate rights and interests as well as those of the Turkish Cypriots in the Eastern Mediterranean.³

Turkey referred to a Memorandum of Understanding, signed in November 2019, between Turkey and Libya⁴ as it continued to protest against the signing of the Greece-Egypt Maritime Delimitation Agreement.⁵ Turkey explained that it had conducted a thorough examination of the Greece-Egypt Maritime Delimitation Agreement and had arrived at the conclusion that the agreement violated a section of Turkey’s continental shelf in the eastern Mediterranean which had been delimited through the Turkey-Libya Memorandum of Understanding.⁶ Meanwhile,

¹Agreement between the Government of the Hellenic Republic and the Government of the Arab Republic of Egypt on the Delimitation of the Exclusive Economic Zone between the Two Countries (signed 6 August 2020; entry into force 2 September 2020) www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/GRCEGY.pdf.

²Turkey, Ministry of Foreign Affairs, ‘No: 165, 6 August 2020, Press Release Regarding the Signing of a So-Called Maritime Delimitation Agreement between Greece and Egypt’ (6 August 2020) www.mfa.gov.tr/no_-165_-yunanistan-ile-misir-arasinda-sozde-deniz-yetki-alanlari-anlasmasi-imzalanmasi-hk.en.mfa.

³*Ibid.*

⁴Memorandum of Understanding Between the Government of the Republic of Turkey and the Government of National Accord-State of Libya on Delimitation of the Maritime Jurisdiction Areas in the Mediterranean (signed 27 November 2019; entry into force 8 December 2019) www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/Turkey_11122019_%28HC%29_MoU_Libya-Delimitation-areas-Mediterranean.pdf.

⁵Turkey, Note verbale dated 14 August 2020 from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General, UN Doc A/74/990 (14 August 2020).

⁶*Ibid.*

Greece repeated its claim on several occasions that it was the Turkey-Libya Memorandum of Understanding that was ‘null and void and has no legal effect on Greece’s sovereign rights’.⁷

On 20 July 2020, Greece released a statement, titled ‘statement on the 46th anniversary of the Turkish invasion of Cyprus’, describing its view on the current tensions in the eastern Mediterranean region:

Today, Greece and Cyprus are the focus of escalating and broadening Turkish violations of international legality – violations that jeopardise security and stability in the wider Eastern Mediterranean region. Greece and Cyprus are countering Turkey’s aggression and illegal actions with their commitment to international legality and International Law.⁸

The following day, Greece released another statement arguing that an ‘announcement of Turkish surveys in a section of the Greek continental shelf, through a new illegal Navtex, constitutes an escalation of the tension in our region’.⁹ Greece called upon Turkey ‘to immediately cease its illegal activities, which violate our sovereign rights and undermine peace and security in the region.’¹⁰ Turkey maintained that the maritime area in question was located entirely within the Turkish continental shelf.¹¹

Again, in August, Greece released a statement alleging further Turkish surveys on the Greek continental shelf.¹² Greece noted that it had observed Turkish naval units and warned that Greece ‘will defend its sovereignty and its sovereign rights’. Greece referred to this incident in a letter to the UN Security Council and accused Turkey of causing ‘significant escalation of

⁷Greece, Note verbale dated 2 September 2020 from the Permanent Mission of Greece to the United Nations addressed to the Secretary-General, A/74/1006 (8 September 2020); Greece, Letter dated 29 September 2020 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General, UN Doc A/75/375–S/2020/958 (5 October 2020).

⁸Greece, Ministry of Foreign Affairs, ‘Minister of Foreign Affairs Nikos Dendias’ statement on the 46th anniversary of the Turkish invasion of Cyprus’ (20 July 2020) www.mfa.gr/en/current-affairs/statements-speeches/minister-of-foreign-affairs-nikos-dendias-statement-on-the-46th-anniversary-of-the-turkish-invasion-of-cyprus-20-july-2020.html.

⁹Greece, Ministry of Foreign Affairs, ‘Ministry of Foreign Affairs statement on Turkey’s new illegal NAVTEX’ (21 July 2020) www.mfa.gr/en/current-affairs/statements-speeches/ministry-of-foreign-affairs-statement-on-turkeys-new-illegal-navtex-21-july-2020.html.

¹⁰*Ibid.*

¹¹Turkey, Ministry of Foreign Affairs, ‘QA-66, 22 July 2020, Statement of the Spokesperson of the Ministry of Foreign Affairs, Mr. Hami Aksoy, in Response to a Question Regarding the Statement of the Ministry of Foreign Affairs of Greece Concerning the Survey Activities of the Vessel Oruç Reis in the Eastern Mediterranean’ (22 July 2020) www.mfa.gov.tr/sc_-66_-yunanistan-disisleri-bakanligi-nin-oruc-reis--dogu-akdeniz-deki-arastirma-faaliyetine-iliskin-yaptigi-aciklama-hk-sc.en.mfa.

¹²Greece, Ministry of Foreign Affairs, ‘Ministry of Foreign Affairs announcement on Turkey’s new illegal Navtex’ (10 August 2020) www.mfa.gr/en/current-affairs/statements-speeches/ministry-of-foreign-affairs-announcement-on-turkeys-new-illegal-navtex-10-august-2020.html.

tensions in the Eastern Mediterranean... which seriously endanger peace and security in the region, as well as blatantly violate Greece's sovereign rights'.¹³ Greece explained that it had deployed its fleet in the Aegean and Eastern Mediterranean region in response to Turkey's 'illegal and aggressive act' of despatching 'the *Oruc Reis* research/survey vessel for seismic activities to an area falling within the Greek continental shelf, in blatant violation of the law of the sea'.¹⁴ Greece claimed that this action by Turkey 'was the latest in a series of illegal and provocative actions... including the almost daily violations of Greek airspace and territorial waters' and 'the signing of the Turkish-Libyan Memorandum of Understanding'.¹⁵ Whilst Greece stated that it remained committed to its efforts to contribute to regional peace and security, Greece warned that it was also committed to 'safeguarding its sovereign rights'.¹⁶ Turkey refuted Greece's allegations as 'lacking any legal basis' and repeated its claim that the Greece-Egypt Maritime Delimitation Agreement 'infringes upon Turkey's and Libya's rights in the Eastern Mediterranean'.¹⁷

In a major escalation of aggressive rhetoric at the end of August 2020, the Turkish Vice-President, Fuat Oktay, threatened Greece with war if Greece expanded its territorial waters to 12 nautical miles in the Aegean:

Are you expecting us to accept this? If this will not be a reason for war, what else would be?¹⁸

Greece responded to the Turkish Vice-President's remarks:

Turkey's unprecedented percept that it may threaten its neighbouring countries with use of force when they exercise their legitimate rights runs counter to modern political culture and to fundamental principles of International Law.

...

¹³Greece, Letter dated 11 August 2020 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General, UN Doc A/74/988-S/2020/795 (12 August 2020).

¹⁴*Ibid.*

¹⁵*Ibid.*

¹⁶*Ibid.*

¹⁷Turkey, Letter dated 21 August 2020 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, UN Doc A/74/997-S/2020/826 (24 August 2020).

¹⁸For the interview transcript, see Metin Mutanoglu, Erdogan Cagatay Zontur, Handan Kazanci and Ali Murat Ahlas, 'INTERVIEW - Turkey to EU: 'Be fair, Turkey will not pull back'', *Anadolu Agency* (30 August 2020) www.aa.com.tr/en/europe/interview-turkey-to-eu-be-fair-turkey-will-not-pull-back/1957888#.

Turkey is bound, inter alia, by Article 2(4) of the Charter of the United Nations. If it believes otherwise, it should declare so.¹⁹

In a letter from the Prime Minister of Greece, Kyriakos Mitsotakis, to the UN Security Council on 3 September 2020, Prime Minister Mitsotakis referred to Turkey's signing of the Turkish-Libyan Memorandum of Understanding as part of 'a series of unlawful and provocative acts in the Eastern Mediterranean' by Turkey.²⁰ Prime Minister Mitsotakis also claimed that 'since 21 July 2020, we have witnessed a major escalation of Turkish aggressive acts and rhetoric that constitute an open and unprecedented threat to Greece's sovereignty and sovereign rights, as well as to the peace and stability of the broader region'.²¹ The letter alleges that Turkey 'sent the *Oruc Reis*, escorted this time by 17 warships and two auxiliary vessels' as a response to the Greece-Egypt Maritime Delimitation Agreement, noting that 'Turkey is well aware that the deployment of a high number of military vessels risks provoking a military incident'.²² The letter further explained that 'Turkey threatens openly to use force against Greece':

I would be remiss not to mention in this respect the aggressive and unprecedented rhetoric against Greece by Turkish high officials, including President Erdogan himself and the Foreign Minister, Mevlüt Çavuşoğlu, who openly threaten to wage war against Greece in case the latter extends its territorial waters in the Aegean to 12 nautical miles ("In the Aegean, Greece cannot extend its borders to 12 miles... This is a cause of war (casus belli) ... We are not going to allow Greece to extend its territorial waters from 6 to 12 miles", "I am being pretty clear.")²³

On 12 October 2020 Greece made an announcement on 'Turkey's new illegal Navtex for illegal surveys south of Kastelorizo on Greece's continental shelf' as constituting a 'major escalation and direct threat to peace and security in the region':

Turkey is persisting with the use of aggressive and illegal tactics of past centuries, thus confirming its role as the prime factor for instability and violation of international legality

¹⁹Greece, Ministry of Foreign Affairs, 'Ministry of Foreign Affairs announcement on today's statements by the Vice-President of Turkey' (29 August 2020) www.mfa.gr/en/current-affairs/statements-speeches/ministry-of-foreign-affairs-announcement-on-todays-statements-by-the-vice-president-of-turkey.html.

²⁰Greece, Letter dated 4 September 2020 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council, UN Doc S/2020/888 (8 September 2020).

²¹*Ibid.*

²²*Ibid.*

²³*Ibid.*

in the region. From Libya to the Aegean and Cyprus, Syria, Iraq and now Nagorno-Karabakh.

...

As a modern European state, Greece will not be blackmailed. It will continue to defend its sovereignty and its sovereign rights, while at the same time contributing to the consolidation of regional security and stability.²⁴

Two days later, Greece informed the UN Security Council of this issue and referred to ‘Turkish actions grossly violating Greece’s sovereign rights and seriously jeopardizing, once again, peace and security in the region’.²⁵ Whilst Greece continued to protest against Turkish surveys on what Greece deemed to be part of the Greek continental shelf,²⁶ Turkey responded by refuting Greece’s allegations and arguing that the ‘seismic research activities of *Oruç Reis*... within the Turkish continental shelf do not constitute a violation of the sovereignty of any State’.²⁷ Turkey warned that it ‘will carry on exercising its sovereign rights over its maritime jurisdiction areas while maintaining its resolve for a sincere and meaningful dialogue with Greece towards a peaceful and lasting solution’.²⁸ Greece’s Minister of Foreign Affairs, Nikos Dendias, described Turkey’s reluctance to end its activity in the eastern Mediterranean as ‘escalating its provocative, aggressive and illegal behaviour’.²⁹

Cyprus-Turkey: Increasing tensions in the Mediterranean Sea

²⁴Greece, Ministry of Foreign Affairs, ‘Ministry of Foreign Affairs announcement on Turkey’s new illegal Navtex’ (12 October 2020) www.mfa.gr/en/current-affairs/statements-speeches/ministry-of-foreign-affairs-announcement-on-turkeys-new-illegal-navtex-12-october-2020.html.

²⁵Greece, Letter dated 14 October 2020 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General, UN Doc A/75/513-S/2020/1015 (15 October 2020).

²⁶Greece, Ministry of Foreign Affairs, ‘Ministry of Foreign Affairs announcement on Turkey’s new illegal NAVTEX’ (23 October 2020) www.mfa.gr/en/current-affairs/statements-speeches/ministry-of-foreign-affairs-announcement-on-turkeys-new-illegal-navtex-23-october-2020.html; Greece, Ministry of Foreign Affairs, ‘Ministry of Foreign Affairs announcement on Turkey’s new illegal Navtex’ (25 October 2020) www.mfa.gr/en/current-affairs/statements-speeches/ministry-of-foreign-affairs-announcement-on-turkeys-new-illegal-navtex-25-october-2020.html; Greece, Ministry of Foreign Affairs, ‘Ministry of Foreign Affairs announcement on Turkey’s new illegal Navtex’ (1 November 2020) www.mfa.gr/en/current-affairs/statements-speeches/ministry-of-foreign-affairs-announcement-on-turkeys-new-illegal-navtex-november-2020.html; Greece, Ministry of Foreign Affairs, ‘Ministry of Foreign Affairs announcement on Turkey’s new illegal Navtex’ (11 November 2020) <https://www.mfa.gr/en/current-affairs/statements-speeches/ministry-of-foreign-affairs-announcement-on-turkeys-new-illegal-navtex-11-november-2020.html>.

²⁷Turkey, Letter dated 13 November 2020 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, UN Doc A/75/598-S/2020/1116 (19 November 2020).

²⁸*Ibid.*

²⁹Greece, Ministry of Foreign Affairs, ‘Statement by Minister of Foreign Affairs Nikos Dendias on Turkey’s provocative, aggressive and illegal behaviour’ (24 November 2020) www.mfa.gr/en/current-affairs/statements-speeches/statement-by-minister-of-foreign-affairs-nikos-dendias-on-turkeys-provocative-aggressive-and-illegal-behaviour-24-november-2020.html.

There were several correspondences to the UN Security Council by Cyprus and Turkey in the midst of an escalation regarding the maritime delimitation in the Mediterranean Sea. Cyprus reported alleged violations of international air traffic regulations, airspace and territorial waters of Cyprus by Turkey to the UN Security Council, covering violations during the months of April – May 2020,³⁰ June – July 2020,³¹ August 2020,³² September 2020,³³ October 2020³⁴ and November 2020.³⁵ Turkey, in response, refuted these allegations in numerous letters and repeated the following justification identically in all of its letters:

... the Greek Cypriot administration has no jurisdiction or right of say over Northern Cyprus. Furthermore, these allegations ignore the present realities on the ground, namely, the existence of two independent, self-governing States on the island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.³⁶

The European Council of the European Union, in its Conclusions of the meeting from December 2020, held that ‘Turkey has engaged in unilateral actions and provocations and escalated its rhetoric against the EU’.³⁷ The EU Council Conclusions specifically made reference to the situation with Cyprus in the eastern Mediterranean:

Turkish unilateral and provocative activities in the Eastern Mediterranean are still taking place, including in Cyprus’ Exclusive Economic Zone.³⁸

³⁰Cyprus, Letter dated 17 July 2020 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General, UN Doc A/74/957–S/2020/722 (17 July 2020).

³¹Cyprus, Letter dated 18 September 2020 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General, UN Doc A/75/243–S/2020/926 (20 September 2020).

³²Cyprus, Letter dated 6 October 2020 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General, UN Doc A/75/499–S/2020/985 (8 October 2020).

³³Cyprus, Letter dated 6 November 2020 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General, UN Doc A/75/585–S/2020/1091 (6 November 2020).

³⁴Cyprus, Letter dated 11 December 2020 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General, UN Doc A/75/650–S/2020/1198 (15 December 2020).

³⁵Cyprus, Letter dated 18 January 2021 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General, UN Doc A/75/723–S/2021/61 (21 January 2021).

³⁶Turkey, Letter dated 27 July 2020 from the Chargé d’affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General, UN Doc A/74/968–S/2020/747 (29 July 2020), 2; Turkey, Letter dated 19 October 2020 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, UN Doc A/75/535–S/2020/1034 (22 October 2020), 2; Turkey, Letter dated 1 December 2020 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, UN Doc A/75/624–S/2020/1157 (2 December 2020), 2; Turkey, Letter dated 29 December 2020 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, UN Doc A/75/701–S/2020/1314 (7 January 2021), 3.

³⁷European Council, ‘European Council meeting - Conclusions’, EUCO 22/20 (11 December 2020), [30] www.consilium.europa.eu/media/47296/1011-12-20-euco-conclusions-en.pdf.

³⁸*Ibid.*

Nevertheless, the Council maintained that the ‘offer of a positive EU-Turkey agenda remains on the table’.³⁹ In response, Turkey rejected the ‘biased and illegal approach’ of the EU Council Conclusions and cautioned that it ‘will continue with determination to protect the legitimate rights of Turkey and the [Turkish Republic of Northern Cyprus] in the Eastern Mediterranean’.⁴⁰

Egypt-Cyprus-Greece summit

In a joint declaration issued on the one-day summit held on 21 October 2020, the leaders of Egypt, Cyprus and Greece addressed, amongst other things, Turkish activity in the Mediterranean:

We expressed our grave concern over the recent escalation within the maritime zones in the eastern Mediterranean and the increased militarization of the area that threatens the wider stability, peace and security in the Mediterranean Sea. We strongly condemned Turkey’s illegal drilling and seismic operations in Cyprus’ EEZ/continental shelf.⁴¹

During the summit, the eighth between the three leaders of the countries, they called upon Turkey to ‘permanently abstain from such actions in the future’ and cautioned that dialogue cannot be conducive if held ‘in an aggressive environment or under the threat of use of force’.⁴² In the Egyptian President’s remarks given after the summit, El-Sisi did not explicitly mention Turkey but he did state that the three leaders discussions reflected a ‘consensus of visions’:

This is done in light of the provocative policies represented in breaching the rules of international law, posing threats through the use of armed force, violating the sovereign rights of neighboring countries, supporting extremism and terrorism, and transferring foreign fighters to conflict zones.⁴³

³⁹*Ibid.*, [31].

⁴⁰Turkey, Ministry of Foreign Affairs, ‘No: 319, 11 December 2020, Press Release Regarding the Conclusions of the EU Council Meeting of 10-11 December 2020’ (11 December 2020) www.mfa.gov.tr/no_-319_-10-11-aralik-ab-devlet-ve-hukumet-baskanlari-zirvesi-sonuclari-hk.en.mfa.

⁴¹Cyprus, Ministry of Interior ‘Joint Declaration of the 8th Cyprus - Egypt - Greece Trilateral Summit, Nicosia’ (21 October 2020) www.pio.gov.cy/en/press-releases-article.html?id=16365#flat.

⁴²*Ibid.*

⁴³Egypt, The President’s Office, ‘Statement by President El-Sisi in Press Conference Following Cyprus-Egypt-Greece Trilateral Summit’ (21 October 2020).

In remarks given after the summit, Greek Prime Minister, Kyriakos Mitsotakis, focused on the issue of regional security:

...the leadership of Turkey that fantasizes imperial practices with aggressive actions from Syria to Libya, from Somalia to Cyprus, from the Aegean to Caucasus. At times by drawing arbitrary maps, at times by signing invalid memoranda... But, above all, accompanying all the above with consecutive unilateral provocations, framed by an extreme, often hostile rhetoric.⁴⁴

Mitsotakis noted that the three leaders had talked about ‘Turkish aggressiveness’ against Cyprus, ‘which not only continues – with the deployment of vessels within its Exclusive Economic Zone – but unfortunately is escalating through inflammatory initiatives’.⁴⁵ Nonetheless, Mitsotakis stressed that all three leaders had agreed that ‘Turkey of course has a place in this neighborhood of cooperation’ and renewed their invitation to Turkey to ‘participate in our trilateral partnership’.⁴⁶

Turkey’s response was to ‘completely refute the declaration’ released by Egypt, Cyprus and Greece, which Turkey said ‘contains baseless accusations and claims against Turkey, as it has now become typical from the previous meetings of this trio’.⁴⁷

Greece-Cyprus-Israel trilateral meeting

Following a trilateral meeting with Cypriot and Israeli Ministers of Foreign Affairs, Greek Minister of Foreign Affairs, Nikos Dendias, delivered a speech where he referred to a press interview given by the Russian Foreign Minister, Sergey Lavrov, the previous day⁴⁸ and expressed the following:

⁴⁴Greece, Prime Minister’s Office, ‘Prime Minister Kyriakos Mitsotakis’ remarks after the conclusion of the 8th Trilateral Cyprus-Egypt-Greece Summit’ (21 October 2020) www.primeminister.gr/en/2020/10/21/25235.

⁴⁵*Ibid.*

⁴⁶*Ibid.*

⁴⁷Turkey, Ministry of Foreign Affairs, ‘No: 254, 22 October 2020, Press Release Regarding the Declaration Published After the Egypt-Greece-GCA Summit Held on 21st October 2020’ (22 October 2020) www.mfa.gov.tr/no_-254_-21-ekim-2020-tarihinde-duzenlenen-misir-yunanistan-gkry-zirvesi-sonunda-yayimlanan-bildiri-hk.en.mfa.

⁴⁸Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s interview with the Athens News Agency – Macedonian Press Agency (ANA-MPA)’ (26 October 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4405308.

I would also like to underline my satisfaction, my great satisfaction, the great satisfaction of the Greek government regarding yesterday's statements by the Russian Minister of Foreign Affairs, who stressed what is self-evident: that Greece has every right to extend its territorial waters to 12 nautical miles, on the basis of International Law.⁴⁹

In the speech, Dendias referred to 'new illegal actions by our neighbour, Turkey':

Turkey is once again taking actions aimed at undermining any prospect of constructive dialogue, unlawfully reserving areas within the Greek continental shelf for illegal seismic surveys, or other provocative actions...

...

We have unequivocally condemned these actions. These developments were certainly discussed during my talks with my counterparts yesterday and today. The common denominator of these talks was that ways to halt the aggressiveness and destabilising role played by Turkey must be found — but always within the framework of international legality.⁵⁰

The Cypriot Minister of Foreign Affairs also made reference to Turkish activity in the eastern Mediterranean in a statement given after the trilateral meeting:

Unfortunately, while a number of positive developments and actions aimed at achieving the goal of peace, stability and security in the region are under way, Turkey is the exception, as it escalates tensions and undermines regional stability through a series of illegal actions. We see this not only in Cyprus and Greece, but also in Syria, Libya, Iraq, and beyond.

Both I and the Greek Foreign Minister informed our counterpart on the escalating provocations of Turkey and its illegal actions in the EEZ of Cyprus, in the maritime zones of the Mediterranean and the Aegean, where Ankara continues its illegal drilling and

⁴⁹Greece, Ministry of Foreign Affairs, 'Minister of Foreign Affairs Nikos Dendias' statement following the trilateral meeting with his Cypriot and Israeli counterparts, Nikos Christodoulides and Gabi Ashkenazi' (27 October 2020) www.mfa.gr/en/current-affairs/top-story/minister-of-foreign-affairs-nikos-dendias-statement-following-the-trilateral-meeting-with-his-cypriot-and-israeli-counterparts-nikos-christodoulides-and-gabi-ashkenazi-athens-27-october-2020.html.

⁵⁰Greece, Ministry of Foreign Affairs, 'Minister of Foreign Affairs Nikos Dendias' statement following the trilateral meeting with his Cypriot and Israeli counterparts, Nikos Christodoulides and Gabi Ashkenazi' (27 October 2020) www.mfa.gr/en/current-affairs/top-story/minister-of-foreign-affairs-nikos-dendias-statement-following-the-trilateral-meeting-with-his-cypriot-and-israeli-counterparts-nikos-christodoulides-and-gabi-ashkenazi-athens-27-october-2020.html.

seismic investigations. For my part, I also briefed them on the illegal Turkish actions in relation to Varosha.⁵¹

Ukraine: Allegations of Russian activity in the temporarily occupied territories of Ukraine

Russia's alleged holding of a naval parade of the Black Sea Fleet units on 26 July 2020 was brought to the attention of the UN Security Council by Ukraine in a letter dated 28 July 2020.⁵² Ukraine considered 'this event in the temporarily occupied city of Sevastopol without the consent of the Ukrainian side as another violation by the Russian Federation of the norms of international law' and as 'another proof of Russia's conscious steps to escalate tensions in Ukrainian-Russian relations'.⁵³ Ukraine condemned, what it referred to as, Russia's demonstration 'of its "military power"' and demanded that Russia 'immediately stop committing internationally wrongful acts against the State sovereignty and territorial integrity of Ukraine and take comprehensive measures to withdraw from occupied parts of the sovereign territory of Ukraine'.⁵⁴

In a letter dated 31 July 2020 Ukraine wrote to the UN Security Council concerning the alleged illegal crossing of the state border of Ukraine by a Russian convoy on 30 July 2020 in order to carry out 'yet another illegal delivery of a so-called "humanitarian convoy" to the territories of Donetsk and Luhansk regions in Ukraine'.⁵⁵ Ukraine described the event as 'another internationally wrongful act against the sovereignty of Ukraine' and complained that Russia was using 'such so-called "humanitarian convoys" to supply arms and ammunition to its occupation authorities'.⁵⁶

Ukraine complained to the UN Security Council about alleged ceasefire violations in the Donetsk and Luhansk regions by Russian military forces on 6 September 2020, referring to the incident as a 'sharp escalation of the security situation in certain parts of the Donetsk and Luhansk regions of Ukraine'.⁵⁷ The Ukrainian letter described the violations as 'attacks', which

⁵¹Cyprus, Ministry of Foreign Affairs, 'Statement to the Press by Minister Christodoulides at the end of Trilateral Meeting CY-GR-ISR in Athens' (27 October 2020) mfa.gov.cy/press-releases/2020/10/27/christodoulides-statement-after-trilateral-cygrisr-eng/.

⁵²Ukraine, Letter dated 28 July 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General, UN Doc A/74/971-S/2020/752 (29 July 2020).

⁵³*Ibid.*

⁵⁴*Ibid.*

⁵⁵Ukraine, Letter dated 31 July 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General, UN Doc A/74/977-S/2020/770 (3 August 2020).

⁵⁶*Ibid.*

⁵⁷Ukraine, Letter dated 8 September 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General, UN Doc S/2020/889 (8 September 2020).

were ‘preceded by numerous threats from the Russian occupation authorities in Donbas to use weapons’.⁵⁸ Russia maintained that ‘there have been no temporarily occupied territories in Ukraine since the 1940s’⁵⁹ and that there is a ‘myth of Russian aggression’.⁶⁰

Ukraine continued to write to the UN Security Council concerning Russia’s alleged activity in the temporarily occupied territories of Ukraine complaining about, for example, ongoing archaeological excavations,⁶¹ ongoing conscription of citizens⁶² and the presidential visit of Vladimir Putin,⁶³ describing all of these incidents as violations of international law. Ukraine also considered the alleged Russian issuance of documents and vehicle registration marks, and the expedited Russian citizenship for certain categories of citizens of Ukraine in certain areas of the Donetsk and Luhansk regions ‘to be yet another element of aggression against Ukraine’s sovereignty and territorial integrity, with clear evidence of the Kremlin’s intention to continue the war against Ukraine.’⁶⁴ Further, in a statement of the Ministry of Foreign Affairs of Ukraine on the forty-sixth anniversary of the General Assembly resolution entitled “Definition of Aggression”, it was claimed that Russia had been ‘[w]aging armed aggression against Ukraine for 7 years’.⁶⁵

Ukraine: States reiterate their condemnation and allegations of illegality over Russia’s actions

Estonia, on behalf of Belgium, France and Germany, issued a joint statement following the 22nd European Union-Ukraine Summit on 6 October 2020.⁶⁶ On the Ukraine-Russia issue, the statement read:

‘We reiterated our strong condemnation of the clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces since February 2014.

⁵⁸*Ibid.*

⁵⁹UNGA Verbatim Record, UN Doc A/74/PV.63 (4 September 2020), 7.

⁶⁰UNGA Verbatim Record, UN Doc A/75/PV.2 (18 September 2020), 3.

⁶¹Ukraine, Letter dated 23 October 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General, UN Doc A/75/545–S/2020/1038 (26 October 2020).

⁶²Ukraine, Letter dated 15 October 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General, UN Doc A/75/514–S/2020/1018 (15 October 2020).

⁶³Ukraine, Letter dated 28 August 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General, UN Doc A/74/1000–S/2020/855 (31 August 2020).

⁶⁴Ukraine, Letter dated 9 November 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General, UN Doc A/75/587–S/2020/1094 (9 November 2020).

⁶⁵Ukraine, Letter dated 14 December 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General, UN Doc A/75/653–S/2020/1207 (16 December 2020).

⁶⁶Estonia, Letter dated 30 October 2020 from the Permanent Representative of Estonia to the United Nations addressed to the President of the Security Council, UN Doc S/2020/1071 (2 November 2020).

We continue to condemn the illegal annexation of Crimea and Sevastopol by Russia, the militarisation of the peninsula, the severe deterioration of the human rights situation there as well as restrictions of the freedom of movement for Ukrainian citizens to and from the Crimean Peninsula.⁶⁷

On 4 September 2020, the UN General Assembly considered,⁶⁸ amongst other things, a request by Ukraine that the item entitled, ‘The situation in the temporarily occupied territories of Ukraine’ be retained on the agenda of the General Assembly and included in the draft agenda of its 75th session.⁶⁹ Germany spoke on behalf of the European Union and its member States and stated that North Macedonia, Montenegro, Albania, Liechtenstein, Moldova and Georgia all aligned themselves with Germany’s statement.⁷⁰ In expressing its support for Ukraine, Germany stated the following:

The European Union reaffirms its resolute support of Ukraine’s independence, sovereignty and territorial integrity within its internationally recognized borders. We reiterate that we do not recognize and continue to condemn the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation, which is a violation of international law. It remains a direct challenge to international security, with grave implications for the international legal order that protects the unity and sovereignty of all States.⁷¹

Georgia described Russia’s ‘illegal annexation’ of Crimea and the city of Sevastopol as a ‘grave violation of international law and infringes upon the fundamental principles enshrined in the Charter of the United Nations and the Helsinki Final Act, including the principles of territorial integrity, the sovereign equality of States, non-use of force or threat of force, and the inviolability of internationally recognized borders.’⁷² The United Kingdom was of the position that it does ‘not recognize Russia’s illegal annexation of Crimea’ and that it ‘stands with the international community in its unwavering support for Ukraine’s independence, sovereignty and territorial integrity’.⁷³ The United States noted ‘Russia’s aggressive acts against Ukraine,

⁶⁷*Ibid*, [12].

⁶⁸UNGA Verbatim Record, UN Doc A/74/PV.63 (4 September 2020), 6-11.

⁶⁹Ukraine, Identical letters dated 28 July 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General and the President of the General Assembly, UN Doc A/74/972 (29 July 2020).

⁷⁰UNGA Verbatim Record, UN Doc A/74/PV.63 (4 September 2020), 6.

⁷¹*Ibid*.

⁷²*Ibid*, 8.

⁷³*Ibid*, 9.

including its ongoing violations of Ukraine's sovereignty and territorial integrity in the Donbas region and occupied Crimea'.⁷⁴ Although Iran,⁷⁵ Russia⁷⁶ and Syria⁷⁷ all made statements against retaining the item entitled "The situation in the temporarily occupied territories of Ukraine" on the agenda of the General Assembly, there were 81 votes to 17, with 65 abstentions, for the item to be retained on the agenda.⁷⁸

The UN General Assembly adopted a resolution on 7 December 2020 '[c]ondemning the ongoing temporary occupation of part of the territory of Ukraine, namely, the Autonomous Republic of Crimea and the city of Sevastopol (hereinafter referred to as "Crimea"), by the Russian Federation, and reaffirming the non-recognition of its annexation'.⁷⁹ At the vote on the resolution, it was adopted by 63 votes to 17, with 62 abstentions.⁸⁰

2. Africa

Burundi-Rwanda: States meet amid further border incursions

The previous Digest reported alleged border clashes between Rwandan and Burundi forces, which Burundi had denied any involvement in at the time.⁸¹ Both sides have accused each other of also supporting rebel militias following attacks within their states.⁸² These tensions have also come alongside heightened rhetoric. For example, in August, the Rwandan Minister of Foreign Affairs, Vincent Biruta, issued a denial in response to allegations by the Burundi government that Rwanda was holding Burundian refugees 'hostage' in the state prior to a repatriation process.⁸³

⁷⁴*Ibid.*

⁷⁵*Ibid.*, 7.

⁷⁶*Ibid.*, 7-8.

⁷⁷*Ibid.*, 8.

⁷⁸*Ibid.*, 10.

⁷⁹UNGA Res 75/29, *Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov*, UN Doc A/RES/75/29 (14 December 2020), 2.

⁸⁰UNGA Verbatim Record, UN Doc A/75/PV.36 (7 December 2020).

⁸¹Patrick M Butchard, 'Digest of State Practice: 1 January – 30 June 2020', (2020) 7(2) *Journal on the Use of Force and International Law* 357, 363-4.

⁸²See, for example, William Maclean, 'At least 15 dead as rebels attack southern Burundi', *Reuters* (24 August 2020) www.reuters.com/article/idUSKBN25K294.

⁸³Edmund Kagire, 'Rwanda Says Burundi's Claims On Refugees Are False', *KT Press* (12 August 2020) www.ktpress.rw/2020/08/rwanda-says-burundis-claims-on-refugees-are-false/; Pierre Claver Niyonkuru, 'Departing Exile in Rwanda, Burundian Refugees Return Home', *VOA* (1 September 2020) www.voanews.com/africa/departing-exile-rwanda-burundian-refugees-return-home.

In August, reports suggested that Rwandan and Burundian intelligence officials would meet to discuss the security situation, in an apparent attempt at easing tensions between the two countries.⁸⁴ At the meeting, Colonel Leon Mahoungou, commander of the Expanded Joint Verification Mechanism (EJVM, International Conference on the Great Lakes Region), was reported to have called on both countries to work towards ensuring peace and security in the region.⁸⁵ This was later followed by a meeting between the states' ministers of Foreign Affairs in October at a border post, aimed at restoring bilateral ties between Burundi and Rwanda.⁸⁶

Central African Republic: Russia and Rwanda send military supplies after internal tensions

In October, reports suggested that Russia had donated military equipment, including armoured vehicles, to the Central African Republic (CAR).⁸⁷ Russian Ambassador Vladimir Titorenko suggested that CAR was seeking Russia's help to lift a UN arms embargo '[s]o that ... it would be possible to supply heavy weaponry, including artillery and helicopters.'⁸⁸

In the run up to CAR's elections, tensions were rising between political groups and rebel armed groups were threatening to forcibly disrupt the election.⁸⁹ As violence continued outside the CAR's capital, the political opposition called for the election to be postponed, but the government did not cede to this demand.⁹⁰

In light of these developments, reports suggested that Rwanda and Russia sent 'troops and supplies' into the CAR to, according to the government, 'provide effective support'.⁹¹ While the Rwandan government confirmed that it sent military personnel into CAR, Russia's ambassador told news agencies that:

⁸⁴ Alex Tumusiime, 'Rwanda, Burundi Intelligence Chiefs meet over border incursions', *Chimp Reports* (26 August 2020) <https://chimpreports.com/rwanda-burundi-intelligence-chiefs-meet-over-border-incursions/>.

⁸⁵ James Tasamba, 'Rwanda, Burundi intel chiefs meet to diffuse tensions', *Anadolu Agency* (26 August 2020) www.aa.com.tr/en/africa/rwanda-burundi-intel-chiefs-meet-to-diffuse-tensions/1954315.

⁸⁶ Alex Tumusiime, 'Burundi, Rwanda meet to end hostility', *Chimp Reports* (20 October 2020) <https://chimpreports.com/burundi-rwanda-meet-to-end-hostility/>; James Tasamba, 'Rwanda, Burundi agree on talks to normalize ties', *Anadolu Agency* (20 October 2020) www.aa.com.tr/en/africa/rwanda-burundi-agree-on-talks-to-normalize-ties/2013064.

⁸⁷ Polina Ivanova, 'Russia sends more military equipment to Central African Republic – RIA', *Reuters* (24 October 2020) www.reuters.com/article/centralafrica-russia-visit-idUKL1N2HF0FG.

⁸⁸ *Ibid.*

⁸⁹ Antoine Rolland, 'Central African Republic says former president plotting a coup', *Reuters* (19 December 2020) www.reuters.com/article/us-centralafrica-election-security-idUSKBN28T0U4.

⁹⁰ Antoine Rolland, 'Central African Republic opposition calls for election delay due to violence', (20 December 2020) www.reuters.com/article/us-centralafrica-election-security-idUSKBN28U0KQ.

⁹¹ Antoine Rolland, 'Russia, Rwanda send military support to Central Africa Republic to quell election violence', *Reuters* (21 December 2020) www.reuters.com/article/us-centralafrica-election-security-idUSKBN28V1IF; see also, 'Russia, Rwanda Send Troops to C.Africa After Alleged Coup Bid', *The Defense Post* (21 December 2020) www.thedefensepost.com/2020/12/21/russia-rwanda-troops-caf/.

Apart from five employees of Russian defence ministry's mission at the CAR's defence ministry, there are no other Russian military personnel.

...

But instructors who teach the CAR's army upon its government's request do work here. Periodically there is a rotation of them, and this is well known to the U.N. Security Council and the international community.⁹²

However, sources told news agencies that 'Russian planes have landed carrying military personnel and supplies.'⁹³ Separate reports suggested Russia had sent 300 'military instructors' to CAR, which Russian Foreign Minister Mikhail Bogdanov insisted were not involved in fighting or military action.⁹⁴ Again, Central African Republic government statements suggested a different picture, with one news agency suggesting that Russia had sent 'several hundred soldiers and heavy weapons' to support them and uphold bilateral agreements between the states.⁹⁵

Sahel Region: International military assistance continues

In the Sahel Region, the international effort to combat terrorist and militia forces continued during the height of the COVID-19 pandemic, once again continuing the international assistance and support for the G5 Sahel Joint Force (FC-G5S)⁹⁶ and France's *Operation Barkhane*.⁹⁷ However, some efforts in Mali were complicated by a military coup that removed the elected government in August 2020.

Mali military coup and international military operations

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ 'Russia sends 300 military instructors to Central African Republic' *BBC News* (22 December 2020) www.bbc.co.uk/news/world-africa-55412720.

⁹⁵ *Ibid.*

⁹⁶ See further, on the creation of the force, Tom Ruys et al (eds), 'Digest of State Practice: 1 July 2017–31 December 2017' (2018) 5 *Journal on the Use of Force and International Law* 150–1.

⁹⁷ For updates on Operation Barkhane, see France, Ministry of the Armed Forces, 'Operation Barkhane' www.defense.gouv.fr/english/operations/barkhane.

On 18 August, a group of Mali military took control of an army base in Kati, near the Mali capital of Bamako.⁹⁸ This was followed closely by the group seizing and detaining Malian President Ibrahim Boubacar Keita and Prime Minister Boubou Cisse.⁹⁹ Within hours, President Kieta appeared on television to issue his resignation from government.¹⁰⁰ The President said, ‘If today, certain elements of our armed forces want this to end through their intervention, do I really have a choice?’¹⁰¹ On 19 August, the leaders of the coup established themselves as the ‘National Committee for the Salvation of the People (CNSP)’, arguing they took control to establish security and stability in the country, and would hold elections within a ‘reasonable time limit’.¹⁰²

The coup came at a time of heightened tensions within Mali, with a number of internal protests having taken place over the government’s responses to issues such as alleged corruption, suspended election results, the economy, and the ongoing military operations against militants within the state.¹⁰³ In response to the coup, some Malian citizens celebrated the ousting of President Kieta.¹⁰⁴

Following the coup, a number of international actors condemned the military’s actions.¹⁰⁵ The African Union condemned the coup, suspending Mali until ‘constitutional order is restored’.¹⁰⁶ African neighbours also condemned the incident through the Economic Community of West African States (ECOWAS), which released a statement on the day the coup became evident, suspending Mali from ECOWAS bodies, closing all borders, imposing

⁹⁸ ‘Mutiny Fears After Gunfire Heard at Army Base in Mali’, *The Defense Post* (18 August 2020) www.thedefensepost.com/2020/08/18/gunfire-army-base-mali/.

⁹⁹ ‘Mutineering Troops Seize Mali’s President and Prime Minister’, *The Defense Post* (18 August 2020) www.thedefensepost.com/2020/08/18/mutineering-troops-mali/.

¹⁰⁰ Tiemoko Diallo, ‘Mali president resigns after detention by military, deepening crisis’, *Reuters* (18 August 2020) www.reuters.com/article/uk-mali-security/mali-president-resigns-after-detention-by-military-deepening-crisis-idUKKCN25E15U

¹⁰¹ *Ibid.*

¹⁰² ‘Mali coup: Military promises elections after ousting president’, *BBC News* (19 August 2020) www.bbc.co.uk/news/world-africa-53833925; the CNSP was eventually disbanded in January 2021 – see, Lalla Sy, ‘Mali junta disbanded five months after coup’, *BBC News* (27 January 2021) at [BBC News Stream on ‘Mali’, Posted at 5:51 27 January 2021](https://www.bbc.com/news/world-africa-53833925).

¹⁰³ *Ibid.*; see also, Josephine Walker, ‘Five West African Leaders Gather in Mali to Resolve Political Crisis’, *The Globe Post* (23 July 2020) <https://theglobepost.com/2020/07/23/mali-crisis-mediation/>.

¹⁰⁴ ‘Mali coup: Thousands take to Bamako streets to celebrate’, *BBC News* (21 August 2020) www.bbc.co.uk/news/world-africa-53868236.

¹⁰⁵ For the EU, see, EU External Action Service, ‘Mali: Statement by High Representative / Vice-President Josep Borrell on the ongoing coup attempt’, (18 August 2020) https://eeas.europa.eu/headquarters/headquarters-homepage/84191/mali-d%C3%A9claration-du-haut-repr%C3%A9sentant-vice-president-josep-borrell-sur-la-tentative-de-coup-d_fr.

¹⁰⁶ David Lewis and Alessandra Prentice, ‘African Union suspends Mali’s membership after coup’, *Reuters* (19 August 2020) www.reuters.com/article/mali-security-idINKCN25F229; African Union Political Affairs, Peace and Security on Twitter (19 August 2020) https://twitter.com/AUC_PAPS/status/1296113449441939456.

sanctions, and requesting the ‘activation of the ECOWAS Standby Force’.¹⁰⁷ As the situation on the ground became clearer, and the coup leaders announced the CNSP, ECOWAS continued to condemn the situation and reiterated its opposition to ‘any form of legitimacy for the military putschists’.¹⁰⁸ The UN Security Council also condemned ‘the mutiny’ in a press statement.¹⁰⁹ The Security Council Members also ‘reiterated their support to the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) in its efforts to stabilise the situation in Mali.’¹¹⁰

In terms of the ongoing international military assistance to Mali and the wider region, the spokesperson for the coup leaders Ismaël Wagué said that they still considered these international efforts to be ‘partners in the restorations of stability’.¹¹¹ The day after the coup, France’s President Macron reiterated France’s commitment in Mali and the region,¹¹² while stressing that power should be returned to civilians.¹¹³ France’s Minister for the Armed Forces, Florence Parly, said that ‘Operation Barkhane, requested by the Malians and authorized by the UN Security Council, continues.’¹¹⁴ The leader of the CNSP, Colonel Assimi Goïta, later met separately with representatives from France’s *Operation Barkhane*, the EU, US, and UN to discuss the continuity of international military assistance in Mali and the region.¹¹⁵ The European special-ops deployment to the region, Task Force Takouba, also indicated it would press ahead with plans to begin operations alongside Mali and others.¹¹⁶ In the UN Secretary General’s Report on the G5 Joint Force, the Secretary-General noted that ECOWAS decided

¹⁰⁷ ECOWAS, ‘Press Release on the Situation in Mali’, (18 August 2020) www.ecowas.int/wp-content/uploads/2020/08/Eng_Communique%CC%81-Mali-22h50.pdf.

¹⁰⁸ ECOWAS, ‘Statement by ECOWAS Heads of State and Government on Mali’ (20 August 2020) www.ecowas.int/wp-content/uploads/2020/08/EN-DECLARATION-SIGNEE-MALI210820.pdf.

¹⁰⁹ UNSC Press Statement on Mali, UN Doc SC/14279 (19 August 2020), www.un.org/press/en/2020/sc14279.doc.htm.

¹¹⁰ *Ibid.*

¹¹¹ ‘How Mali’s coup affects the fight against jihadists’, *BBC News* (22 September 2020) www.bbc.co.uk/news/world-africa-54228920.

¹¹² France, President Macron on Twitter (19 August 2020), <https://twitter.com/EmmanuelMacron/status/1296143428099743745>.

¹¹³ France, President Macron on Twitter (19 August 2020), <https://twitter.com/EmmanuelMacron/status/1296143431304187904>.

¹¹⁴ France, Minister of the Armed Forces Florence Parly on Twitter (20 August 2020), https://twitter.com/florence_parly/status/1296372633374785536.

¹¹⁵ Neil Munshi, ‘France and Mali junta: ‘Neither can afford alienating the other’, *The Financial Times* (30 August 2020) www.ft.com/content/7b1f266d-af41-4b0b-9938-61b0704aaf3e; see also Secretary-General’s Report (n 117), at para [17].

¹¹⁶ John Irish, ‘Despite coup, France and allies push on with new Mali task force’, *Reuters* (3 September 2020) www.reuters.com/article/uk-mali-politics-france-idUKKBN25U262.

against imposing embargoes on international military operations when imposing sanctions, and so left room for the continuation of the Joint Force.¹¹⁷

The UK also continued with its planned deployment of troops to MINUSMA, including ‘a highly specialised reconnaissance capability, conducting patrols to gather intelligence and engage with the local population to help the UN respond to threats from violent extremism, and weak governance.’¹¹⁸ On the other hand, the US said that there would be ‘no further training or support of Malian armed forces full-stop. We have halted everything until such time as we can clarify the situation.’¹¹⁹

International military assistance to Mali therefore continued as the coup leaders appointed new transitional President Bah N’Daw,¹²⁰ and adopted a plan for a transition to elections and full civilian control of government.¹²¹ This also encouraged ECOWAS to lift all sanctions on Mali,¹²² and for the AU to also lift sanctions and reinstate Mali as a member.¹²³ The continuation of military assistance was evident in late October when French airstrikes targeted Al-Qaeda-linked militants in Mali,¹²⁴ and in early November when French defence minister Florence Parly announced that France had also targeted key leaders of Al-Qaeda groups in Mali too.¹²⁵

Wider Sahel developments

¹¹⁷ Report of the Secretary-General, ‘Joint Force of the Group of Five for the Sahel’, UN Doc S/2020/1074 (2 November 2020), at para [8].

¹¹⁸ UK, Ministry of Defence, ‘300 British troops deploy to Mali on UN Peacekeeping Mission’, *Gov.uk* (3 December 2020) www.gov.uk/government/news/300-british-troops-deploy-to-mali-on-un-peacekeeping-mission.

¹¹⁹ Tiemoko Diallo and Aaron Ross, ‘U.S. halts military cooperation with Mali as coup supporters celebrate’, *Reuters* (21 August 2020) www.reuters.com/article/us-mali-security-idUSKBN25H190; see also, US Department of State, ‘Mutiny in Mali’, (19 August 2020) <https://2017-2021.state.gov/mutiny-in-mali/index.html>; and, US Department of State, ‘U.S. Relations With Mali: Bilateral Relations Fact Sheet’, (4 December 2020) www.state.gov/u-s-relations-with-mali/.

¹²⁰ ‘Mali coup: Bah Ndaw sworn in as civilian leader’, *BBC News* (25 September 2020) www.bbc.co.uk/news/world-africa-54292919.

¹²¹ ‘Mali coup: Military agrees to 18-month transition government’, *BBC News* (12 September 2020) www.bbc.co.uk/news/world-africa-54134614.

¹²² ECOWAS, ‘Declaration of ECOWAS Heads of State and Government on Mali’, (5 October 2020) www.ecowas.int/wp-content/uploads/2020/10/Eng_Declaration-levee-de-sanctions-Mali-October-2020.pdf.

¹²³ African Union Political Affairs, Peace and Security on Twitter (9 October 2020) https://twitter.com/AUC_PAPS/status/1314486261089021952.

¹²⁴ ‘French Airstrikes Kill Over 50 Qaeda-Linked Jihadists in Mali’, *The Defense Post* (3 November 2020) www.thedefensepost.com/2020/11/03/french-airstrikes-kill-jihadists-mali/.

¹²⁵ France, Minister of the Armed Forces Florence Parly on Twitter (13 November 2020), https://twitter.com/florence_parly/status/1327143872829542400; see also, ‘French Forces Kill Jihadist Commander Ba Ag Moussa in Mali’, *The Defense Post* (13 November 2020) www.thedefensepost.com/2020/11/13/france-kills-ag-moussa-mali/.

The head of the United Nations Office for West Africa and Sahel (UNOWAS) warned in July that even though states had undertaken ‘intense and sustained’ efforts to combat extremists and militants, these forces were continuing to attack military and civilians in the region, and UNOWAS warned that children were still being recruited into fighting in Burkina Faso, Mali, Niger and Nigeria.¹²⁶

The UN Secretary-General reiterated his call for the ‘predictable certainty required to fully operationalise the Joint Force’ and ‘a more comprehensive model that ensures sustainable and predictable funding through assessed contributions.’¹²⁷ In an interview with French newspaper *Le Monde*, the Secretary-General also argued that MINUSMA’s mandate had limits that ‘do not allow for an effective fight against terrorist threats’, and that the G5 joint force ‘lacks the means and capacity to respond to this gigantic security challenge,’ calling for a stronger international response.¹²⁸

Operationally, the European special operations ‘Task Force Takouba’ began operations in October 2020.¹²⁹ In late November, the Task Force was one of the foreign forces that was subject to an attack that military officials described as ‘a coordinated action against the camps of Barkhane, the UN peacekeepers, against the European force Takuba and against the Malian army in Gao, Menaka, and Kidal.’¹³⁰

Soon after the European troops made their first contributions, reports emerged suggesting that France could be planning to withdraw troops from its *Operation Barkhane*, to allow the wider European contribution to the military assistance to play a larger role.¹³¹ But the head of the G5 Joint Force, General Oumarou Namata Gazama, said:

¹²⁶ See, ‘Intercommunal violence, terrorist attacks inflame tensions in West Africa’, *UN News* (9 July 2020) <https://news.un.org/en/story/2020/07/1068071>; see also Report of the Secretary-General, ‘Activities of the United Nations Office for West Africa and the Sahel’, UN Doc S/2020/585 (24 June 2020); and Report of the Secretary-General on the activities of the United Nations Office for West Africa and the Sahel, UN Doc S/2020/1293 (24 December 2020).

¹²⁷ Secretary-General’s Report (n 117), at para [53].

¹²⁸ Laurence Caramel, ‘Antonio Guterres: La crise sahélienne est une menace pour nous tous’, *Le Monde* (19 October 2020) www.lemonde.fr/afrique/article/2020/10/19/antonio-guterres-la-crise-sahelienne-est-une-menace-pour-nous-tous_6056573_3212.html.

¹²⁹ France, Minister of the Armed Forces Florence Parly on Twitter (28 October 2020), https://twitter.com/florence_parly/status/1321510498987376645; see also, ‘Elite European Anti-Jihadist Task Force Takuba Takes First Steps in Sahel’, *The Defense Post* (5 November 2020) www.thedefensepost.com/2020/11/05/europe-anti-jihadist-force-sahel/.

¹³⁰ ‘Mali, Foreign Military Bases Attacked in North’, *The Defense Post* (30 November 2020) www.thedefensepost.com/2020/11/30/mali-military-bases-attacked/.

¹³¹ ‘France Said to Plan Cuts in Sahel Force’, *The Defense Post* (6 November 2020) www.thedefensepost.com/2020/11/06/france-cuts-sahel-force/.

At the moment, the contribution of Takuba (the special forces unit) is certainly positive, but Barkhane is a close partner of the joint force — Barkhane helps us to offset the gaps in our national forces ...

...

For us, as a joint force, it would be premature to consider [a troop reduction] and risky for the G5 Sahel.¹³²

Elsewhere in the Sahel region, states continued to battle international terrorism. Boko Haram, for example, continued to commit attacks in the Lake Chad area, which the UN Secretary-General condemned.¹³³

Eritrea-Ethiopia: Reports of Eritrean troops operating in Ethiopia in shadow of Tigray crisis

Following an internal increase in tensions between the Tigray People's Liberation Front (TPLF) and the Ethiopian Federal Government over local elections,¹³⁴ Ethiopia declared a state of emergency in the Tigray Region.¹³⁵ Prime Minister Abiy Ahmed then ordered the Ethiopian military to deploy to the Tigray region after accusing the TPLF of attacking federal military personnel and attempting to steal equipment.¹³⁶ A statement from the Prime Minister also alleged that 'the TPLF ... have been manufacturing military outfits resembling that of the Eritrean National Defense Forces, to implicate the Eritrean government in false claims of aggression against the people of Tigray.'¹³⁷

An Amnesty International investigation detailed claims that the TPLF had committed a massacre of hundreds of people in the region on 9 November.¹³⁸ On 15 November, the Tigray

¹³² 'G5 Sahel Chief Cautions Against Early French Troop Cut', *The Defense Post* (3 December 2020) www.thedefensepost.com/2020/12/03/g5-sahel-cautions-french-troop-cut/.

¹³³ 'UN censures 'heinous attacks' in Lake Chad Basin', *UN News* (4 August 2020) <https://news.un.org/en/story/2020/08/1069462>.

¹³⁴ Louisa Brooke-Holland, 'Ethiopia: Warnings of "full-scale humanitarian crisis" in Tigray region', *House of Commons Library, UK Parliament* (18 November 2020) <https://commonslibrary.parliament.uk/ethiopia-fears-of-civil-war-in-tigray-region/>.

¹³⁵ Ethiopia, Office of the Prime Minister on Twitter (4 November 2020) <https://twitter.com/PMEthiopia/status/1323901191902822406>.

¹³⁶ 'Ethiopia's Premier Orders Troops Into Once-powerful Tigray Region in Major Escalation', *VOA* (4 November 2020) www.voanews.com/africa/ethiopias-premier-orders-troops-once-powerful-tigray-region-major-escalation.

¹³⁷ Ethiopia, Office of the Prime Minister on Twitter (4 November 2020), <https://twitter.com/PMEthiopia/status/1323832961209229317>.

¹³⁸ Amnesty International, 'Ethiopia: Investigation confirms scores of civilians killed in Tigray state massacre', *Amnesty International UK* (12 November 2020) www.amnesty.org.uk/press-releases/ethiopia-investigation-confirms-scores-civilians-killed-tigray-state-massacre; see also, UN Office of the High Commissioner for Human Rights, 'Ethiopia – Bachelet expresses alarm as Tigray conflict "risks spiralling out of control"', (13 November 2020) www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26501&LangID=E.

regional President Debretsion Gebremichael confirmed to the Associated Press that TPLF forces had targeted and fired missiles at the Eritrean city of Asmara, Ethiopia's neighbouring state.¹³⁹ The Tigray leader said, 'As long as troops are here fighting, we will take any legitimate military target and we will fire', and also accused Eritrea of sending military into Ethiopia's Tigray region. He denied that the TPLF had entered Eritrea. Ethiopia's Prime Minister did not immediately address this issue, or the accusations of Eritrean troops within Ethiopian territory. The United States told reporters that the US 'strongly condemns the TPLF's unjustifiable attacks against Eritrea on November 14 and its efforts to internationalize the conflict in Tigray... We continue to urge immediate action to protect civilians, deescalate tensions, and restore peace'.¹⁴⁰

In December, the United States confirmed that it believed reports of Eritrea's military involvement in the Tigray region were 'credible'.¹⁴¹ A US spokesperson told Reuters, 'We are aware of credible reports of Eritrean military involvement in Tigray and view this as a grave development. We urge that any such troops be withdrawn immediately.'¹⁴² Eritrea's Foreign Minister Osman Saleh Mohammed described these claims as 'propaganda'.¹⁴³

At the time of writing this Digest, Ethiopia's Prime Minister had admitted that Eritrean forces were present within the Tigray region in March 2021.¹⁴⁴ The details of this admission and any developments will be detailed in the next Digest of State Practice covering instances between 1 January – 30 June 2021.

Ethiopia-Sudan: Territorial demarcation talks after border clash

There were several armed clashes between Ethiopian and Sudanese forces in and around disputed territory between the two states. In December, Sudan's Prime Minister, Abdalla

¹³⁹ Cara Anna, 'Ethiopia's Tigray leader confirms firing missiles at Eritrea', *AP News* (15 November 2020) <https://apnews.com/article/international-news-eritrea-ethiopia-asmara-kenya-33b9aea59b4c984562eaa86d8547c6dd>.

¹⁴⁰ David Lewis, 'U.S. condemns Tigray forces' attacks on Eritrea', *Reuters* (15 November 2020) www.reuters.com/article/uk-ethiopia-conflict-usa-idUKKBN27V0L4.

¹⁴¹ Phil Stewart, 'Exclusive: U.S. says reports of Eritrean troops in Ethiopia's Tigray are "credible"', *Reuters* (11 December 2020) www.reuters.com/article/ethiopia-conflict-eritrea-usa-idINKBN28L07J; see also, 'Tigray crisis: Eritrea's role in Ethiopian conflict', *BBC News* (28 December 2020) www.bbc.co.uk/news/world-africa-55295650.

¹⁴² *Ibid.*

¹⁴³ Peter Beaumont, 'Diplomats back claims Eritrean troops have joined Ethiopia conflict', *The Guardian* (8 December 2020) www.theguardian.com/world/2020/dec/08/diplomats-back-claims-eritrea-troops-have-joined-ethiopia-conflict.

¹⁴⁴ 'Ethiopia's PM Abiy Admits Eritrean Forces Are in Tigray', *The Defense Post* (23 March 2021) www.thedefensepost.com/2021/03/23/ethiopia-admits-eritrea-in-tigray/; see also, Cara Anna, 'Ethiopian army official confirms Eritrean troops in Tigray', *AP News* (7 January 2021) <https://apnews.com/article/eritrea-abiy-ahmed-ethiopia-united-nations-kenya-9d12e2af8c22926dd6b6b0c2d67473bf>.

Hamdok, claimed that Sudanese forces were ‘ambushed’ and killed by Ethiopian ‘forces and militias’ when patrolling the border.¹⁴⁵ The Prime Minister affirmed Sudan’s confidence in their armed forces to ‘repel any aggression’.¹⁴⁶ The Ethiopian Prime Minister responded to the reports by tweeting:

The [government] is closely following the incident with local militia on the Ethio-Sudan border. Such incidents will not break the bond [between] our two countries as we always use dialogue to resolve issues. Those fanning discord clearly do not understand the strength of our historical ties.¹⁴⁷

The Ethiopian Foreign Ministry later said that Ethiopian security forces had ‘repelled a group of low-ranking officers and farmers, who had encroached on Ethiopian territory.’¹⁴⁸ While the two states met for talks a week after the clashes,¹⁴⁹ days later Sudan’s Information Minister, Faisal Salih, told Reuters, ‘our army will do its duty to take back all our land. Currently our army has taken back between 60% and 70% of Sudanese land.’¹⁵⁰

By 31 December Sudan announced that it had taken control of ‘Sudanese territory’ in the border area that was being used by Ethiopian farmers.¹⁵¹ The military insisted that Sudan had not crossed any international borders in taking control of the land, and sought to resolve any issues of trespassing citizens through dialogue with Ethiopia.¹⁵²

Mozambique-Tanzania: Cross-border militant attacks and joint operations

In October, militants known as Ansar al-Sunna from Mozambique that had pledged allegiance to the so-called Islamic State attacked a village in south Tanzania. In the first acknowledgement

¹⁴⁵ Sudan, Prime Minister Abdalla Hamdok on Twitter (16 December 2020), <https://twitter.com/SudanPMHamdok/status/1339289580932112388>; see also, ‘Sudan says officers ambushed by Ethiopian “forces” during patrol’, *Al-Jazeera* (16 December 2020), www.aljazeera.com/news/2020/12/16/sudan-says-officers-ambushed-by-ethiopian-forces-during-patrol.

¹⁴⁶ Sudan, Prime Minister Abdalla Hamdok on Twitter (16 December 2020), <https://twitter.com/SudanPMHamdok/status/1339289582987304961>.

¹⁴⁷ Ethiopia, Prime Minister Abiy Ahmed Ali on Twitter (17 December 2020) <https://twitter.com/AbiyAhmedAli/status/1339608026383323138>.

¹⁴⁸ ‘Sudan, Ethiopia Start Border Talks One Week After Clash’, *The Defense Post* (22 December 2020) www.thedefensepost.com/2020/12/22/sudan-ethiopia-border-talks/.

¹⁴⁹ *Ibid.*

¹⁵⁰ Nafisa Eltahir and Aidan Lewis, ‘Sudan taking control of land on border with Ethiopia – minister’, *Reuters* (26 December 2020) www.reuters.com/article/uk-sudan-ethiopia-idUKKBN2900J3.

¹⁵¹ Nafisa Eltahir, ‘Sudan declares full control of border territory settled by Ethiopian’, *Reuters* (31 December 2020) www.reuters.com/article/sudan-ethiopia-idINKBN2951BG.

¹⁵² *Ibid.*

of militant insurgency in the country, the Inspector General of Police, Simon Sirro, told media ‘Terrorists numbering 300, coming from Mozambique, attacked our station and the village of Kitaya, and committed crimes and they killed.’¹⁵³

As the insurgency started to spill over to Tanzania, reports suggested that Mozambique and Tanzania were to begin joint military operations to combat the militant groups.¹⁵⁴ Mozambique police commander Bernardino Rafael spoke to media about the agreement between the two states, stating that ‘[t]he agreement provides for us to work together to control the Rovuma border.’¹⁵⁵

In September, South Africa indicated a willingness to assist Mozambique, having already requested that Mozambique detail its requirements for assistance in May 2020.¹⁵⁶ Zimbabwe also offered its support in the effort,¹⁵⁷ after its Defence Ministry said that it would be ready to contribute personnel and equipment to a regional intervention effort by the South African Development Community (SADC).¹⁵⁸ Zimbabwe’s Presidential spokesperson told reporters:

SADC is fast moving towards a subregional response against Islamic insurgency, an initiative which started when President Emmerson Mnangagwa was chairman of the SADC Organ on Defence, Politics and Security.¹⁵⁹

The Defence ministry also insisted that any intervention in the Mozambique situation ‘will be done within the framework of the SADC brigade.’¹⁶⁰ However, reports in August suggested that the Mozambican government did not want to consent to a SADC intervention, and instead preferred bilateral military assistance from Zimbabwe.¹⁶¹ While Zimbabwe denied that it had

¹⁵³ George Obulutsa, ‘Militants from Mozambique staged deadly attack in Tanzania, police say’, *Reuters* (23 October 2020) www.reuters.com/article/idUSL8N2HE3UR.

¹⁵⁴ Emma Rumney and Giles Elgood, ‘Mozambique, Tanzania to launch joint operations against insurgents’, *Reuters* (23 November 2020) www.reuters.com/article/idUSL8N2I94OL.

¹⁵⁵ *Ibid.*

¹⁵⁶ Peter Fabricius, ‘South Africa ready to help Mozambique fight Islamist insurgenc’, *Daily Maverick* (3 September 2020) www.dailymaverick.co.za/article/2020-09-03-south-africa-ready-to-help-mozambique-fight-islamist-insurgency/.

¹⁵⁷ President of Zimbabwe on Twitter (10 November 2020), <https://twitter.com/edmnangagwa/status/1326201114799333384>.

¹⁵⁸ Kitsepile Nyathi, ‘Zimbabwe readies for Mozambique military intervention’, *The East African* (15 December 2020) www.theeastafrican.co.ke/tea/rest-of-africa/zimbabwe-readies-for-mozambique-military-intervention-3229120.

¹⁵⁹ *Ibid.*

¹⁶⁰ *Ibid.*

¹⁶¹ Andrew Kunambura, ‘Mozambican govt begs Zim for military rescue’, *Zimbabwe Independent* (7 August 2020) www.theindependent.co.zw/2020/08/07/mozambican-govt-begs-zim-for-military-rescue/.

already made preparations to intervene, reports suggested that some form of specialist reconnaissance and training may already have taken place.¹⁶² SADC intervention would have to be based upon the SADC Mutual Defence Pact or the Protocol on Politics, Defence and Security Cooperation, and Zimbabwe then held the chairmanship of the SADC Organ on Politics and Defence.¹⁶³

Somalia-Kenya-US: International military operations

In the final days of US President Trump's administration, reports emerged that the US planned to withdraw most of its forces out of Somalia and relocate to Kenya and Djibouti.¹⁶⁴ Officials suggested that the US would still conduct counterterrorism operations in Somalia against al-Shabaab and other militants, but by crossing from these new bases into Somalia.¹⁶⁵ The US Navy arrived in Somalia in late December to begin the withdrawal process.¹⁶⁶

When the US Africa Command visited Kenya, the US Ambassador to Kenya, Kyle McCarter, said, 'the United States is committed to helping Kenya defeat terrorism and the extremist ideologies that spread misinformation to undermine a free democracy ... The productive conversations we've had during this visit have reaffirmed our joint commitment to continue our military cooperation and counterterrorism partnership.'¹⁶⁷

Earlier, in September, Kenyan and Somali forces exchanged gunfire across their border between Somalia's Bula Hawo and Kenya's Mandera.¹⁶⁸ A Somali police officer told news agency AFP that 'Kenyan troops opened fire on Somali protesters who closed on their positions along the Bula Hawo border and the Somali troops stationed close to the area responded with

¹⁶² *Ibid.*

¹⁶³ See, for example, Marko Svcevic, 'The Legality of a SADC Intervention in Cabo Delgado in the Absence of Mozambican Consent', *Opinio Juris* (2 November 2020) <https://opiniojuris.org/2020/11/02/the-legality-of-a-sadc-intervention-in-cabo-delgado-in-the-absence-of-mozambican-consent/>.

¹⁶⁴ Nancy A. Youssef and Michael M. Phillips, 'U.S. Will Move Nearly All Troops Out of Somalia, Officials Say', *Wall Street Journal* (4 December 2020) www.wsj.com/articles/u-s-will-move-nearly-all-u-s-troops-out-of-somalia-11607114195; see also, US, Africa Command, 'Commander visits key African nations to strengthen partnerships, security', (17 December 2020) www.africom.mil/pressrelease/33348/commander-visits-key-african-nations-to-strengthen-partnerships-security.

¹⁶⁵ *Ibid.*; see also 'US Strikes Shabaab in Somalia After Withdrawal Announcement', *The Defense Post* (11 December 2020) www.thedefensepost.com/2020/12/11/us-strikes-shabaab-somalia/.

¹⁶⁶ 'US Navy Ships Arrive in Somalia for Withdrawal', *The Defense Post* (23 December 2020) www.thedefensepost.com/2020/12/23/us-navy-ships-somalia-withdrawal/.

¹⁶⁷ US, Africa Command, 'Commander visits key African nations to strengthen partnerships, security', (17 December 2020) www.africom.mil/pressrelease/33348/commander-visits-key-african-nations-to-strengthen-partnerships-security.

¹⁶⁸ AFP, 'Somali, Kenyan troops exchange gunfire at shared border', *The East African* (28 September 2020) <https://www.theeastafrican.co.ke/tea/news/east-africa/kenya-somali-troops-exchange-gunfire-2373532>.

heavy fire, this continued for several minutes.¹⁶⁹ A Kenyan security official said ‘there was gunfire at the border where SNA [Somali National Army] and KDF [Kenya Defence Forces] exchanged gunfire after some incident of protests ... The locals on the other side are accusing Kenyan forces of killing three civilians who were not Al-Shabaab.’¹⁷⁰ While the Somali government did not immediately respond, Somalia more widely accused Kenya of interfering in its internal politics, particularly regarding elections in Somalia.

In December, Somalia severed diplomatic relations with Kenya. Somali Information Minister Osman Dube said, ‘Somalia calls back all its diplomats from Kenya and orders Kenyan diplomats to leave Somalia within seven days’, and that ‘[t]his is an answer to the constant political violation and Kenya’s open interference in Somalia’s independence.’¹⁷¹ This came as anti-government protests took place in Somalia’s capital of Mogadishu, over delayed government elections.

3. Middle East

Israel-Palestine: Further hostilities continue to undermine hopes of peace

Cross-border incidents between Israel and Palestine continued in this reporting period. The Israeli Defence Forces (IDF) reported responding to alleged attacks from Hamas on 17 and 21 August 2020 and warned that the IDF will ‘continue to defend Israeli civilians from all enemy threats in Gaza’.¹⁷² Israeli Prime Minister, Benjamin Netanyahu, reiterated his ‘commitment to security is absolute’:

We are now relating to every fire – fires are like rockets. We have been hitting and striking at Hamas on a daily basis, for the past eleven nights straight. If necessary, we will do much more. They need to understand that what happened last time will happen to them now twofold, to them and to the Islamic Jihad.¹⁷³

¹⁶⁹ *Ibid.*

¹⁷⁰ *Ibid.*

¹⁷¹ Abdi Sheikh, ‘Somalia cuts ties with Kenya, shots fired at Mogadishu protests’, *Reuters* (15 December 2020) www.reuters.com/article/us-somalia-kenya-idUSKBN28P1JR.

¹⁷² Israel Defense Forces, ‘Hamas’ Wave of Environmental Terrorism’ (8 September 2020) www.idf.il/en/articles/hamas/hamas-wave-of-environmental-terrorism/.

¹⁷³ Israel, Ministry of Foreign Affairs, ‘PM Netanyahu speaks to the Knesset Negev Lobby’ (19 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-speaks-to-the-Knesset-Negev-Lobby-19-August-2020.aspx.

Israel also reported exposing a ‘terror tunnel from Gaza’ in October 2020 and went on to caution that it will ‘continue to take determined action in all sectors for the security of Israel and against any attempt to attack our sovereignty or our citizens’.¹⁷⁴ Further, after responding to another alleged attack by Hamas in November 2020, Prime Minister Netanyahu sent a direct warning to Hamas:

I warn the terrorist organizations in Gaza, even during the coronavirus crisis, do not try us. I will never go into detail about our operational plans but I tell them, the price of continued aggression will be heavy, very heavy.¹⁷⁵

Palestine repeatedly wrote to the UN Security Council complaining that Israel’s aggression against Palestinian civilians and its proliferation of illegal settlements in the territory of occupied Palestine undermines the two-state solution to the Israel-Palestine issue.¹⁷⁶

Despite continued cross-border incidents between Israel and Palestine, Israel called upon the Palestinian leadership to return to the negotiating table without preconditions and maintained that ‘this is the time for peace’.¹⁷⁷

Third-state reactions to the Israel-Palestine situation

¹⁷⁴Israel, Ministry of Foreign Affairs, ‘PM Netanyahu on IDF exposing of a terror tunnel from Gaza’ (20 October 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-on-IDF-exposing-of-a-terror-tunnel-from-Gaza-20-October-2020.aspx.

¹⁷⁵Israel, Ministry of Foreign Affairs, ‘PM Netanyahu’s remarks at the start of the Cabinet meeting’ (15 November 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-s-remarks-at-the-start-of-the-Cabinet-meeting-15-November-2020.aspx.

¹⁷⁶Palestine, Identical letters dated 9 November 2020 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, UN Doc A/ES-10/842-S/2020/1095 (11 November 2020); Palestine, Identical letters dated 17 November 2020 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, UN Doc A/ES-10/843-S/2020/1121 (18 November 2020); Palestine, Identical letters dated 7 December 2020 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, UN Doc A/ES-10/844-S/2020/1175 (9 December 2020); Palestine, Identical letters dated 15 December 2020 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, UN Doc A/ES-10/845-S/2020/1208 (28 December 2020); Palestine, Identical letters dated 29 December 2020 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, UN Doc A/ES-10/846-S/2020/1306 (29 December 2020).

¹⁷⁷Israel, Ministry of Foreign Affairs, ‘FM Ashkenazi meets with Bahraini FM Al-Zayani in Jerusalem’ (18 November 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/FM-Ashkenazi-meets-with-Bahraini-FM-Al-Zayani-in-Jerusalem-18-November-2020.aspx.

France, Germany, Egypt and Jordan declared that they would not recognise any annexation of Palestinian territories by Israel or any changes to the 1967 borders that were not agreed by both parties in the conflict.¹⁷⁸ They underlined their ‘firm commitment to a negotiated two-state-solution based on international law and the relevant UN resolutions’ and warned against annexation measures:

We also *concur* that such a step would have serious consequences for the security and stability of the region, and would constitute a major obstacle to efforts aimed at achieving a comprehensive and just peace. It could also have consequences for the relationship with Israel.¹⁷⁹

Peru, on several occasions, declared that it recognised Israel’s right to preserve its own existence and security by exercising its right of self-defence, whilst also calling on Israel to put an ‘end to the practices of settlement’ in Palestinian territories.¹⁸⁰ During a Security Council meeting on 29 September 2020, Germany said that ‘Israel has the right to defend itself against such acts in a proportional manner’¹⁸¹ and the United Kingdom noted that it, too, recognised Israel’s right to self-defence:

Like all countries, Israel has a legitimate right to self-defence and to defend its citizens from attack. But in doing this, it is vital that all actions are proportionate, in line with international law and that they are calibrated to avoid civilian casualties. For example, the shooting and injuring by the Israel Defense Forces (IDF) of an unarmed, deaf and mute Palestinian at the Qalandia checkpoint on 17 August is deeply concerning.¹⁸²

In July 2020 Russia warned that any extension of Israeli sovereignty to more Palestinian lands would ‘most likely provoke a new round of dangerous violence in the region’¹⁸³ and declared

¹⁷⁸France, Ministry for Europe and Foreign Affairs, ‘Joint Statement of the Foreign Ministers of France, Germany, Egypt and Jordan’ (7 July 2020) www.diplomatie.gouv.fr/en/country-files/israel-palestinian-territories/news/2020/article/joint-statement-of-the-foreign-ministers-of-france-germany-egypt-and-jordan-07.

¹⁷⁹*Ibid.*

¹⁸⁰ Letter dated 23 July 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council, UN Doc S/2020/736 (28 July 2020), 83; Letter dated 28 October 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council, UN Doc S/2020/1055 (30 October 2020), 89.

¹⁸¹UNGA Verbatim Record, UN Doc S/PV.8762 (29 September 2020), 19.

¹⁸²*Ibid.*, 17.

¹⁸³Russia, Ministry of Foreign Affairs, ‘Briefing by Foreign Ministry Spokesperson Maria Zakharova, Moscow’ (9 July 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4217345.

that ‘the two-state solution is the only viable option’.¹⁸⁴ In November 2020, Russia reaffirmed its position of ‘principle on the illegal character of Israeli settlements’ on the West Bank:

Such actions by Israel are an obstacle to reaching a fair Palestinian-Israeli settlement and establishing a durable and comprehensive peace in the Middle East.¹⁸⁵

On 3 September 2020, the President of Palestine, the leader of the Palestinian National Liberation Movement and the heads of fourteen other leading Palestinian organisations held a joint teleconference.¹⁸⁶ A press release on the teleconference was published by the Russian Ministry of Foreign Affairs, which stated the following:

The absence of any alternative to the two-state solution to the conflict between Palestine and Israel has been a key aspect of the Palestinian agreements reflected in the final communique. The participants emphasised that any unilateral steps to create irreversible realities on the ground and erode the universally recognised international foundation for a settlement in the Middle East are unacceptable.

We agree with the communique’s statement that a peace process carried out by the sides themselves is the key to a successful and final solution to the conflict between Palestine and Israel.¹⁸⁷

During this reporting period, Iran reiterated its ‘constant support for the struggles of Palestinian people aimed at securing their rights’.¹⁸⁸ Further, in a meeting between a senior Iranian diplomat and the Syrian President, Bashar al-Assad, it was announced that the two sides discussed the Israel-Palestine issue:

¹⁸⁴Russia, Ministry of Foreign Affairs, ‘Russia’s Position at The Seventy-Fifth Session of The UN General Assembly’ (23 July 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4252717.

¹⁸⁵Russia, Ministry of Foreign Affairs, ‘Comment by the Information and Press Department on the plans to build new Israeli settlements in East Jerusalem’ (17 November 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4442324.

¹⁸⁶Russia, Ministry of Foreign Affairs, ‘Comment by the Information and Press Department on a joint teleconference between the leading Palestinian political forces’ (4 September 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4318162.

¹⁸⁷*Ibid.*

¹⁸⁸Iran, Ministry of Foreign Affairs, ‘Iranian, Palestinian Foreign Ministers Hold Phone Talks’ (16 August 2020) www.en.mfa.ir/portal/newsview/606842.

The two sides discussed the Israeli regime's continued occupation and its aggressive measures against the rights of Palestinians and regional countries, and underlined the need for vigilance against the regime's plots.¹⁸⁹

The Jordanian Minister of Foreign Affairs, Ayman Safadi, and the Russian Foreign Minister, Sergey Lavrov, confirmed their commitment to a two-state solution on the Israel-Palestine situation during telephone conversations in August¹⁹⁰ and November 2020.¹⁹¹

During a UN General Assembly meeting held on 25 September 2020, Palestine said the following in relation to Israeli activity as the 'occupying Power':

We will continue resisting all attempts and plans to erase us, and we will secure our rightful and natural place among nations and exercise the rights granted to us by international legitimacy, including our right to resist this occupation in accordance with international law.¹⁹²

At the same UN General Assembly meeting, the President of the European Council,¹⁹³ Nepal,¹⁹⁴ Pakistan,¹⁹⁵ Kuwait,¹⁹⁶ and Spain¹⁹⁷ expressed their support for a two-state solution for Israel and Palestine.

Israel-United Arab Emirates-Bahrain: The establishment of diplomatic relations

Israel formally established full diplomatic relations with the United Arab Emirates and Bahrain on 15 September 2020 through declarations referred to by the United States as the 'Abraham Accords'.¹⁹⁸ In remarks made after the signing, Prime Minister Netanyahu thanked the United

¹⁸⁹Iran, Ministry of Foreign Affairs, 'Iranian Diplomat, Syrian President Meet in Damascus' (17 August 2020) www.en.mfa.ir/portal/newsview/606987.

¹⁹⁰Russia, Ministry of Foreign Affairs, 'Press release on Foreign Minister Sergey Lavrov's telephone conversation with Jordanian Minister of Foreign Affairs and Expatriates Ayman Safadi' (24 August 2020) https://www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4296512.

¹⁹¹Russia, Ministry of Foreign Affairs, 'Press release on Foreign Minister Sergey Lavrov's telephone conversation with Jordanian Deputy Prime Minister and Minister of Foreign Affairs and Expatriates Ayman Safadi' (23 November 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4456487.

¹⁹²UNGA Verbatim Record, UN Doc A/75/PV.10 (25 September 2020), 17.

¹⁹³*Ibid*, 21.

¹⁹⁴*Ibid*, 27.

¹⁹⁵*Ibid*, 67.

¹⁹⁶*Ibid*, 69-70.

¹⁹⁷*Ibid*, 81.

¹⁹⁸United States, Department of State, 'The Abraham Accords' (15 September 2020) www.state.gov/the-abraham-accords/.

States President, Donald Trump, for being the person who had ‘successfully brokered the historic peace that we are signing today’.¹⁹⁹ Prime Minister Netanyahu went on to describe the effect that he thought the accords would have in the Middle East:

... this peace will eventually expand to include other Arab states, and ultimately it can end the Arab-Israeli conflict once and for all.²⁰⁰

The United Arab Emirates Foreign Minister, Abdullah bin Zayed, thanked Prime Minister Netanyahu in his remarks for ‘choosing peace and for halting the annexation of Palestinian territories’, whilst noting the following:

...this accord will enable us to continue to stand by the Palestinian people and realize their hopes for an independent state within a stable and prosperous region.²⁰¹

The Foreign Minister of Bahrain, Abdullatif Al Zayani, also appeared to express a commitment to the two-state solution on the Israel and Palestine situation when giving his remarks after the signing:

Ladies and gentlemen, today’s agreement is an important first step, and it is now incumbent on us to work urgently and actively to bring about the lasting peace and security our peoples deserve. A just, comprehensive, and enduring two-state solution to the Palestinian-Israeli conflict will be the foundation, the bedrock of such peace.²⁰²

In response to the signing of the accords, Russia reaffirmed its commitment for ‘the two-state solution with a Palestinian state living side by side with Israel in peace and security’.²⁰³ Further, following a joint news conference with the Foreign Minister for the United Arab Emirates on

¹⁹⁹Israel, Ministry of Foreign Affairs, ‘PM Netanyahu's Speech at the White House Signing Ceremony for the Historic Peace Agreements, the "Abraham Accords", with the United Arab Emirates and Bahrain’ (15 September 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-s-speech-at-the-White-House-signing-ceremony-with-the-United-Arab-Emirates-and-Bahrain-15-September-2020.aspx.

²⁰⁰*Ibid.*

²⁰¹United States, The White House, ‘Remarks by President Trump, Prime Minister Netanyahu, Minister bin Zayed, and Minister Al Zayani at the Abraham Accords Signing Ceremony’ (15 September 2020) www.trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-prime-minister-netanyahu-minister-bin-zayed-minister-al-zayani-abraham-accords-signing-ceremony/.

²⁰²*Ibid.*

²⁰³Russia, Ministry of Foreign Affairs, ‘Deputy Foreign Minister Sergei Vershinin’s remarks on behalf of Foreign Minister Sergey Lavrov during an open debate in the UN Security Council on the Situation in the Middle East, Including the Palestinian Question’ (26 October 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4406453.

14 December 2020, the Russian Foreign Minister noted that the normalisation of Israel's relations with Arab countries 'is a positive factor' but maintained that the ultimate goal is 'the establishment of a Palestinian state'.²⁰⁴

Iran condemned the decision of the United Arab Emirates to normalise relations with Israel²⁰⁵ and reiterated 'Tehran's perennial support for the cause of Palestine'.²⁰⁶ Further, in a meeting with Lebanese diplomats, the Iranian Foreign Minister, again, denounced the United Arab Emirates' decision to normalise relations with Israel and described the decision as 'painful and a stab in the back of Lebanon and other regional countries'.²⁰⁷

Turkey's response to the normalisation of relations between Israel and the United Arab Emirates was to warn that the agreement's presentation of being an act of support for the Palestinian cause was 'anything but convincing'.²⁰⁸ Turkey expressed 'strong condemnation' of Bahrain's decision to follow suit in establishing diplomatic relations with Israel and warned of the effect that this would have on Palestine:

This step would deal yet another blow to the efforts to defend the Palestinian cause and would further embolden Israel to continue its illegal acts and attempts to perpetuate the occupation of the Palestinian territories.²⁰⁹

Throughout this reporting period, Turkey repeated its position that it would continue to 'defend the Palestinian cause'²¹⁰ and would continue to support a two-state solution on the Israel-

²⁰⁴Russia, Ministry of Foreign Affairs, 'Foreign Minister Sergey Lavrov's remarks and answers to media questions at a joint news conference following talks with Minister of Foreign Affairs and International Cooperation of the United Arab Emirates Abdullah bin Zayed Al Nahyan, Moscow' (14 December 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4485929.

²⁰⁵Iran, Ministry of Foreign Affairs, 'Statement on Establishment of UAE-Israel Diplomatic Ties' (14 August 2020) www.en.mfa.ir/portal/newsview/606638.

²⁰⁶Iran, Ministry of Foreign Affairs, 'Foreign Minister Zarif Holds Phone Talks with Hamas Chief' (15 August 2020) www.en.mfa.ir/portal/newsview/606768.

²⁰⁷Iran, Ministry of Foreign Affairs, 'Top Iranian, Lebanese Diplomats Meet in Beirut' (14 August 2020) www.en.mfa.ir/portal/newsview/606635.

²⁰⁸Turkey, Ministry of Foreign Affairs, 'No: 173, 14 August 2020, Press Release Regarding the Joint Statement by the United States, Israel and the United Arab Emirates' (14 August 2020) www.mfa.gov.tr/no_-173_-abd-israil-ve-bae-tarafindan-aciklanan-ortak-bildiri-hk.en.mfa.

²⁰⁹Turkey, Ministry of Foreign Affairs, 'No: 209, 11 September 2020, Press Release Regarding the Establishment of Diplomatic Relations Between Israel and the Kingdom of Bahrain' (11 September 2020) www.mfa.gov.tr/no_-209_-israil-ile-bahreyn-arasinda-diplomatik-iliski-tesis-edilmesi-karari-hk.en.mfa.

²¹⁰*Ibid*; Turkey, Ministry of Foreign Affairs, 'No: 298, 19 November 2020, Press Release Regarding the US Secretary of State Pompeo's Visit to an Illegal Settlement Unit in the West Bank' (19 November 2020) www.mfa.gov.tr/no_-298_-abd-disisleri-bakani-pompeo-nun-bati-seria-daki-yasadisi-bir-yerlesim-birimini-ziyareti-hk.en.mfa.

Palestine situation.²¹¹ On 4 October 2020, Turkey responded to reports that Israel had approved plans for additional settlements in the West Bank:

This development clearly indicates that Israel has not given up its annexation plans. It also shows that the allegations of some countries that they have prevented these annexation plans by signing normalization agreements with Israel are nothing but a deception.²¹²

The accusation that Israel's annexation plans had not been suspended was also made by Palestine to the UN Security Council in a letter dated 15 October 2020.²¹³ In a further letter to the UN Security Council, Palestine claimed that 'violations and aggressions' against the Palestinian people and the 'dismantling of the two-state solution' was now being done with the full support and complicity of the United States.²¹⁴

Israel–Lebanon: Reports of violations of the 'Blue Line'

Israel and Lebanon continued in their regular exchange, via the UN, of allegations of violations of Security Council Resolution 1701 (2006) and the 'Blue Line'. Israel submitted allegations

²¹¹Turkey, Ministry of Foreign Affairs, 'No: 249, 16 October 2020, Press Release Regarding the Illegal Settlement Activities of Israel' (16 October 2020) www.mfa.gov.tr/no_-249_-israil-in-yasadisi-yerlesim-faaliyetleri-hk.en.mfa; Turkey, Ministry of Foreign Affairs, 'No: 278, 5 November 2020, Press Release Regarding the Israeli Demolition Activities in the Occupied Palestinian Territories' (5 November 2020) www.mfa.gov.tr/no_-278_-israil-in-filistin-topraklarinda-surdurdugu-yikim-faaliyetleri-hk.en.mfa; Turkey, Ministry of Foreign Affairs, 'No: 293, 15 November 2020, Press Release Regarding Israel's Illegal Settlement Activities in the Palestinian Territories' (15 November 2020) www.mfa.gov.tr/no_-293_-israil-in-filistin-topraklarindaki-yasadisi-yerlesim-faaliyetleri-hk.en.mfa.

²¹²Turkey, Ministry of Foreign Affairs, 'No: 227, 4 October 2020, Press Release Regarding the Israeli Plans to Build Additional Illegal Settlements' (4 October 2020) www.mfa.gov.tr/no_-227_-israil-in-ilave-yasadisi-yerlesim-insa-planlari-hk.en.mfa.

²¹³Palestine, Identical letters dated 15 October 2020 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, UN Doc A/ES-10/840–S/2020/1017 (26 October 2020), 2.

²¹⁴Palestine, Identical letters dated 29 October 2020 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, UN Doc A/ES-10/841–S/2020/1057 (30 October 2020).

of Lebanese violations from August,²¹⁵ November²¹⁶ and a summary of allegations for the period of May-August 2020.²¹⁷

The IDF reported a specific incident where it claimed that it had thwarted an infiltration attempt across the Blue Line into Israel by a Hezbollah terror squad on 27 July 2020.²¹⁸ Prime Minister Netanyahu maintained Israel's right to defend itself²¹⁹ and warned that Hezbollah was endangering Lebanon with its aggression against Israel.²²⁰ After observing IDF staff exercises in northern Israel, Prime Minister Netanyahu issued another warning:

In this exercise I have been impressed by the vast improvement in the IDF's offensive capabilities and Hezbollah and Lebanon would do well to take this into account. Whoever attacks us will meet firepower and a steel fist that will destroy any enemy.²²¹

²¹⁵Israel, Identical letters dated 17 August 2020 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/806 (19 August 2020); Israel, Identical letters dated 26 August 2020 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/843 (27 August 2020).

²¹⁶Israel, Identical letters dated 16 November 2020 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1120 (17 November 2020).

²¹⁷Israel, Identical letters dated 12 October 2020 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1007 (13 October 2020).

²¹⁸Israel Defense Forces, 'IDF Thwarts Hezbollah Infiltration Into Northern Israel' (27 July 2020) www.idf.il/en/minisites/hezbollah/idf-thwarts-hezbollah-infiltration-into-northern-israel/.

²¹⁹Israel, Ministry of Foreign Affairs, 'PM Netanyahu and MOD Gantz tour IDF Home Front Command HQ' (4 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-and-MOD-Gantz-tour-IDF-Home-Front-Command-HQ-4-August-2020.aspx.

²²⁰Israel, Ministry of Foreign Affairs, 'PM Netanyahu comments on Hezbollah firing into Israel' (26 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-comments-on-Hezbollah-firing-into-Israel-26-August-2020.aspx.

²²¹Israel, Ministry of Foreign Affairs, 'PM Netanyahu observes IDF General Staff exercise in northern Israel' (28 October 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-observes-IDF-General-Staff-exercise-28-October-2020.aspx.

Lebanon submitted allegations of Israeli violations from June,²²² July,²²³ August,²²⁴ September,²²⁵ October,²²⁶ November²²⁷ and also submitted a statistical summary of allegations for 2020.²²⁸ Further, Lebanon wrote to the UN Security Council detailing specific incidents concerning alleged violations of Lebanon's sovereignty by Israel that had occurred in July,²²⁹ August²³⁰ and September,²³¹ referring to the Israeli actions in question as 'aggression' and calling upon the Security Council to compel Israel to bring an end to its violations of Lebanese sovereignty. Lebanon also informed the UN Security Council of alleged violations committed by Israeli reconnaissance aircraft and warplanes between 1 November 2020-10 January 2021.²³²

Israel-Lebanon-Iran: Tensions rise on Israel's northern border

²²²Lebanon, Identical letters dated 31 August 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/74/1004-S/2020/874 (1 September 2020).

²²³Lebanon, Identical letters dated 31 August 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/74/1008-S/2020/932 (21 September 2020); Lebanon, Identical letters dated 27 July 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/74/974-S/2020/757 (30 July 2020); Lebanon, Identical letters dated 19 August 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/74/996-S/2020/819 (24 August 2020).

²²⁴Lebanon, Identical letters dated 28 September 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/75/543-S/2020/1036 (23 October 2020).

²²⁵Lebanon, Identical letters dated 26 October 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/75/559-S/2020/1061 (28 October 2020).

²²⁶Lebanon, Identical letters dated 14 December 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/75/692-S/2020/1302 (29 December 2020).

²²⁷Lebanon, Identical letters dated 31 December 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/75/711-S/2021/29 (12 January 2021).

²²⁸Lebanon, Identical letters dated 25 January 2021 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/75/726-S/2021/80 (26 January 2021).

²²⁹Lebanon, Identical letters dated 29 July 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/74/979-S/2020/762 (3 August 2020).

²³⁰Lebanon, Identical letters dated 9 September 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/74/1010-S/2020/894 (11 September 2020).

²³¹Lebanon, Identical letters dated 9 October 2020 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/75/531-S/2020/999 (12 October 2020).

²³²Lebanon, Identical letters dated 12 January 2021 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/75/714-S/2021/51 (20 January 2021).

In July 2020, Israeli Prime Minister, Benjamin Netanyahu, announced that Israel was acting consistently in accordance with its policy of not allowing Iran to entrench militarily on Israel's northern border and issued the following warning:

Lebanon and Syria bear the responsibility for any attack against Israel emanating from their territories. We will not allow our security to be undermined; neither will we allow our citizens to be threatened. We will not tolerate attacks on our forces. Together with the Defense Minister and the Chief-of-Staff, I am holding ongoing assessments of the situation. The IDF is prepared to respond to any threat.²³³

On 27 July 2020, whilst, again, noting that Israel will continue to take action against Iran's efforts to entrench militarily in the region, Prime Minister Netanyahu went on to report that the IDF had thwarted an attempt by a Hezbollah cell to infiltrate Israeli territory.²³⁴ Prime Minister Netanyahu held that 'Hezbollah and Lebanon bear full responsibility for this incident and for any attack against the State of Israel emanating from Lebanese territory.'²³⁵ The following day Prime Minister Netanyahu gave another statement emphasising Israel's intention to defend itself:

I do not suggest that anybody try the IDF or the State of Israel. We are determined to defend ourselves.

...

I am impressed that the IDF is well prepared for every possible scenario. We will continue to take action to thwart Iran's military entrenchment in our region. We will do whatever is necessary to defend ourselves and I suggest that Hezbollah consider this simple fact. Israel is ready for any scenario.²³⁶

Israeli Foreign Minister, Gabi Ashkenazi, suggested that Lebanon and Hezbollah were under the command of Iran:

²³³Israel, Ministry of Foreign Affairs, 'PM Netanyahu's remarks at the start of the weekly Cabinet meeting' (26 July 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-s-remarks-at-the-start-of-the-weekly-Cabinet-meeting-26-July-2020.aspx.

²³⁴Israel, Ministry of Foreign Affairs, 'PM Netanyahu's statement to the media' (27 July 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-s-statement-to-the-media-27-July-2020.aspx.

²³⁵*Ibid.*

²³⁶Israel, Ministry of Foreign Affairs, 'PM Netanyahu holds security assessment at IDF Northern Command HQ' (28 July 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-holds-security-assessment-at-IDF-Northern-Command-HQ-28-July-2020.aspx.

The political instability within Lebanon has allowed Hezbollah to essentially take over the entire country politically, militarily, and economically, all at Iran's command. Iran has taken Lebanon hostage through Hezbollah.²³⁷

The United States expressed its support for Israel's right to defend itself against 'Iran's continued support for designated terrorist groups such as Hizballah in Lebanon.'²³⁸ The United States accused Iran of supporting Hezbollah in its attacks across the Lebanon-Israel border.²³⁹

Israel-Syria: Golan Heights

Iran, Russia and Turkey sent a joint statement to the UN Security Council, in a letter dated 2 July 2020, rejecting the occupation of the Syrian Golan and stating that they considered Israeli military attacks in Syria as 'destabilizing and violating the sovereignty and territorial integrity of this country and intensifying the tension in the region'.²⁴⁰ Following a further meeting in August 2020, the three states issued another joint statement from their consultations on Syria.²⁴¹ The statement reaffirmed the states' strong commitment for Syrian sovereignty and 'condemned the continuing Israel's military attacks in Syria in violation of the international law'.²⁴²

The United States Secretary of State, Michael Pompeo, visited the Golan Heights on 19 November 2020 and reiterated the United States position that it recognised the Golan Heights as part of Israel.²⁴³ Syria responded to Pompeo's visit to, what it described as, 'the Israeli settlements in the occupied Syrian Golan' as a provocative step:

²³⁷Israel, Ministry of Foreign Affairs, 'FM Ashkenazi holds political-security briefing for foreign diplomats at Israel's northern border' (11 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/FM-Ashkenazi-holds-political-security-briefing-for-foreign-diplomats-11-August-2020.aspx.

²³⁸United States, Department of State, 'Furthering Our Relationship with Israel' (18 November 2020) www.2017-2021.state.gov/furthering-our-relationship-with-israel-2/index.html.

²³⁹United States, Department of State, 'Secretary Michael R. Pompeo and Israeli Prime Minister Benjamin Netanyahu' (19 November 2020) www.2017-2021.state.gov/secretary-michael-r-pompeo-and-israeli-prime-minister-benjamin-netanyahu/index.html.

²⁴⁰Iran, Russia and Turkey, Letter dated 2 July 2020 from the Permanent Representatives of the Islamic Republic of Iran, the Russian Federation and Turkey to the United Nations addressed to the Secretary-General, UN Doc S/2020/646 (6 July 2020), 3.

²⁴¹Iran, Russia and Turkey, Letter dated 27 August 2020 from the Permanent Representatives of the Islamic Republic of Iran, the Russian Federation and Turkey to the United Nations addressed to the Secretary-General, UN Doc S/2020/848 (27 August 2020).

²⁴²*Ibid*, 2.

²⁴³United States, Department of State, 'Secretary Michael R. Pompeo and Israeli Prime Minister Benjamin Netanyahu' (19 November 2020) <https://2017-2021.state.gov/secretary-michael-r-pompeo-and-israeli-prime-minister-benjamin-netanyahu/index.html>.

[Syria] considers it a blatant violation of the sovereignty of the Syrian Arab Republic at a time when this visit coincides with the attacks of the Israeli occupation forces. The repeated attacks on Syria, the latest of which was the aggression launched on 11/17/2020.²⁴⁴

Syria maintained that it rejected Israel's 'decision to annex the Golan' and warned that it will work to 'fully restore it by all available means guaranteed by international law'.²⁴⁵ Israel thanked the United States on several occasions for the United States' recognition of Israeli sovereignty of the Golan Heights.²⁴⁶

In a statement given to the UN Security Council, Iran argued that Syria could exercise its right to self-defence against Israel:

... Israel's acts of aggression against Syria are in gross violation of international law and the United Nations Charter, in the face of which the Syrian Government has a sovereign right to decide how and when to exercise its inherent right to individual or collective self-defence. Such aggressions must come to an end.²⁴⁷

In a letter dated 24 November 2020 to the UN Security Council, Israel complained of alleged recurring incidents of explosive devices being planted in the southern Golan Heights within Israeli territory.²⁴⁸ The letter warned that it would continue to defend itself:

²⁴⁴Syria, Ministry of Foreign Affairs, 'Syria condemns Pompeo's visit to the Israeli settlements in the occupied Syrian Golan', [Press Release of 19 November 2020](#) (19 November 2020).

²⁴⁵Syria, Ministry of Foreign Affairs, 'Syria condemns the Israeli actions in the occupied Golan and renews its unlimited support for the people in their strike against it', [Press Release of 9 December 2020](#) (9 December 2020).

²⁴⁶Israel, Ministry of Foreign Affairs, 'PM Netanyahu addresses United Nations General Assembly' (29 September 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-addresses-UNGA-29-September-2020.aspx; Israel, Ministry of Foreign Affairs, 'PM Netanyahu meets with U.S. Secretary of State Mike Pompeo' (19 November 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-meets-with-U-S-Secretary-of-State-Mike-Pompeo-19-November-2020.aspx; Israel, Ministry of Foreign Affairs, 'FM Ashkenazi and US Secretary of State Mike Pompeo tour Golan Heights' (19 November 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/FM-Ashkenazi-and-US-Secretary-of-State-Mike-Pompeo-tour-Golan-Heights-1119-5530.aspx; Israel, Ministry of Foreign Affairs, 'PM Netanyahu meets with US National Security Adviser Robert O'Brien' (13 December 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-meets-with-US-National-Security-Adviser-Robert-O'Brien-13-December-2020.aspx.

²⁴⁷Letter dated 27 July 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council, UN Doc S/2020/743 (27 July 2020) 27.

²⁴⁸Israel, Identical letters dated 24 November 2020 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1140 (24 November 2020).

Israel considers the Syrian regime responsible for any aggressive activity and attacks that originate from its territory and will continue to take all lawful measures to defend itself from attempts to carry out attacks against our country.²⁴⁹

Syria wrote to the UN Security Council to refute Israel's allegations and reiterated that Syria will not hesitate to exercise its right to respond and defend its territory against alleged repeated Israeli attacks.²⁵⁰ In a further letter to the Security Council, Syria complained of an alleged attack by Israel against Syria on 25 December 2020, referring to the attack as 'fresh Israeli aggression'.²⁵¹

Iran condemned the 'continuing Israel's military attacks in Syria' and said that it undermined the sovereignty of Syria, as well as endangering the stability and security in the region.²⁵² Russia accused Israel of carrying out strikes on Syrian military positions under the pretext of planting 'explosive devices near the dividing line in the occupied Golan Heights'.²⁵³

Syria: Third-state involvement

Syria wrote to the UN Security Council in a letter dated 14 August 2020 concerning alleged attacks by the international coalition against civilian aircrafts within Syrian airspace in June and July 2020.²⁵⁴ In a further letter to the UN Security Council in November, Syria alleged that American and Turkish forces were supporting terrorist organisations in Syria.²⁵⁵ Syria also informed the UN Security Council about continuing violations allegedly committed by Turkey

²⁴⁹*Ibid.*

²⁵⁰Syria, Identical letters dated 9 December 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1185 (14 December 2020), 3.

²⁵¹Syria, Identical letters dated 25 December 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1295 (30 December 2020).

²⁵²Iran, Ministry of Foreign Affairs, 'Joint Statement by Iran, Russia and Turkey on the consultations held on the margins of the third meeting of the Constitutional Committee' (25 August 2020) www.en.mfa.ir/portal/newsview/607970.

²⁵³Russia, Ministry of Foreign Affairs, 'Comment by the Information and Press Department on Israeli strikes against Syria' (4 August 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4279338.

²⁵⁴Syria, Identical letters dated 14 August 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/800 (18 August 2020).

²⁵⁵Syria, Identical letters dated 10 November 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/75/593-S/2020/1101 (10 November 2020).

against the sovereignty and territorial integrity of Syria in July,²⁵⁶ September²⁵⁷ and December 2020.²⁵⁸

In a statement to the UN Security Council in August, Syria reiterated its position that the presence of Turkish military forces in Syria amounted to an act of aggression and occupation and questioned what the Security Council had done to end the American occupation of parts of Syria.²⁵⁹ Syria called for an end to the Turkish and American occupation of Syrian land:

[T]he alliance of the Turkish military occupation forces and the American occupation forces with terrorists from ISIS, the Al-Nusra Front, the SDF and other terrorist organizations is an aggression against the sovereignty and independence of Syria and a violation. It is a matter of the principles of international law and the provisions of the United Nations Charter, and that the time has come for this occupation to end.²⁶⁰

Syria accused Turkey of being the ‘main sponsor of terrorists in Syria and the region’.²⁶¹ During a meeting between the Syrian and Iranian Foreign Ministers in Tehran in December, the Iranian Foreign Minister condemned the Turkish regime for its interference and ‘its continued support for terrorist groups in Syria and abroad.’²⁶² During a visit by the Syrian Foreign Minister to Iran in December, the Syrian Foreign Minister denounced the United States’ escalated activities in the region, saying that ‘they reveal that the Zionist regime’s interests have priority over the US’

²⁵⁶Syria, Identical letters dated 15 July 2020 from the Permanent Representative of the Syrian Arab Republic addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/714 (16 July 2020) ; see also Syria, Note verbale dated 15 July 2020 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva addressed to the secretariat of the Human Rights Council, UN Doc A/HRC/44/G/18 (20 July 2020).

²⁵⁷Syria, Identical letters dated 29 September 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/954 (30 September 2020).

²⁵⁸Syria, Identical letters dated 14 December 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1204 (18 December 2020).

²⁵⁹Letter dated 21 August 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council, UN Doc S/2020/823 (21 August 2020), 30-32.

²⁶⁰Syria, Ministry of Foreign Affairs, ‘Foreign Ministry condemns the crime of the Turkish regime to cut off drinking water to the people of Hasaka’, [Press Release of 24 August 2020](#) (24 August 2020).

²⁶¹Syria, Ministry of Foreign Affairs, ‘Al-Muallem in Syria’s speech before the General Assembly is the so-called Caesar Act aimed at suffocating the Syrian people. Syria will spare no effort to end the American and Turkish occupation’, [Press Release of 27 September 2020](#) (27 September 2020).

²⁶²Syria, Ministry of Foreign Affairs, ‘Al-Miqdad discusses with Zarif, Qalibaf and Walayati ways to strengthen and deepen bilateral relations and developments in the region’ [Press Release of 7 December 2020](#) (7 December 2020).

interests in the region'.²⁶³ The Iranian representative called for the 'complete withdrawal of American and other illegal forces' from Syria.²⁶⁴

On 14 December 2020, Syria renewed its demand to the UN Security Council to end the Turkish regime's 'aggression and occupation' of parts of the Syrian territories.²⁶⁵ In the same month, Syria accused the United States of 'aggression' against Syria and claimed that the suffering endured by the Syrians was a 'direct result of the US-supported terrorism'.²⁶⁶ On its relations with Russia, Syria affirmed that they 'will deepen':

[T]he relations between Syria and Russia are strategic and extend to a long history and will deepen in the coming stage, stressing that the countries that supported terrorism and committed crimes in Syria must pay the price for that and the West must correct its murderous approach in the world.²⁶⁷

Turkey said that it would continue to respond in self-defence against the Kurdish Workers Party/Kurdish People's Protection Units throughout northern Syria and argued that it was these groups that undermined the territorial integrity of Syria as well as representing a direct threat to Turkey's national security.²⁶⁸

Cyprus expressed its commitment for the sovereignty of the Syrian state and strongly rejected and condemned the Turkish 'invasion and occupation' of Syria.²⁶⁹

²⁶³Iran, Ministry of Foreign Affairs, 'Iranian, Syrian Foreign Ministers Meet in Tehran' (7 December 2020) www.en.mfa.ir/portal/newsview/619834.

²⁶⁴Syria, Ministry of Foreign Affairs, 'Minister Al-Miqdad discusses with Ali Shamkhani, Secretary of the Supreme National Security Council of Iran, strategic cooperation between the two countries', [Press Release of 8 December 2020](#) (8 December 2020).

²⁶⁵Syria, Ministry of Foreign Affairs, 'Syria condemns the practices of the Turkish occupation forces against the Syrian people and the repeated cutting off of water to the people of Hasaa', [Press Release of 14 December 2020](#) (14 December 2020).

²⁶⁶Syria, Ministry of Foreign Affairs, 'Ministry of Foreign Affairs and Expatriates: Syrians' suffering is a direct result of US-backed terrorism and unjust coercive measures', [Press Release of 21 December 2020](#) (21 December 2020).

²⁶⁷Syria, Ministry of Foreign Affairs, 'Al-Miqdad in an interview with SANA: The relations between Syria and Russia are strategic and will deepen. The West must correct its murderous approach in the world – video', [Press Release of 19 December 2020](#) (19 December 2020).

²⁶⁸President of the Security Council, Letter dated 4 August 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council, UN Doc S/2020/758 (4 August 2020), 32.

²⁶⁹Cyprus, Ministry of Interior, 'Joint Declaration of the 8th Cyprus - Egypt - Greece Trilateral Summit, Nicosia' (21 October 2020) www.pio.gov.cy/en/press-releases-article.html?id=16365#flat.

Russia accused the United States of continuing its ‘illegal presence’ in Syria²⁷⁰ and took the position that the United States had ‘occupied’ a large part of Syria and was illegally in the country ‘without any invitation’.²⁷¹ In December 2020, Russia reaffirmed its ‘condemnation of the continued illegal presence of foreign troops in Syria.’²⁷² Russia maintained that the Russian presence in Syria was as a result of a request from the Syrian government and ‘also because Russia’s security largely depends on stopping the terrorist threat emanating from the Middle East, North Africa and the Eastern Mediterranean.’²⁷³

Iran-United States

The targeted killing of General Soleimani

In July 2020, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnes Callamard, argued that the UN Security Council should meet in formal session to review and debate all self-defence claims for drone strikes.²⁷⁴ It was reported that Callamard explained that this move was necessary because ‘a small number of rather influential States’ had sought to reinterpret the law of self-defence under Article 51 of the UN Charter.²⁷⁵

The United Nations Human Rights Council published its ‘Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions’ on 15 August 2020.²⁷⁶ The report examined the legality of targeted killings by armed drones, with the 3 January 2020 Soleimani killing as a case study, and concluded that the killing was unlawful:

²⁷⁰Russia, Ministry of Foreign Affairs, ‘Briefing by Foreign Ministry Spokeswoman Maria Zakharova, Moscow’ (13 November 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4430454.

²⁷¹Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s interview with radio stations Sputnik, Komsomolskaya Pravda and Govorit Moskva, Moscow’ (14 October 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4381977; Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s remarks and answers to media questions at a joint news conference following talks with Deputy Prime Minister and Foreign Minister of Iraq Fuad Hussein, Moscow’ (25 November 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4459439.

²⁷²Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s opening remarks and answers to media questions at a joint news conference following talks with Minister of Foreign Affairs and Expatriates of the Syrian Arab Republic Faisal Mekdad, Moscow’ (17 December 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4493285.

²⁷³Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov takes questions from RT news channel, Moscow’ (19 November 2020) https://www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4443523.

²⁷⁴United Nations News, ‘All drone strikes ‘in self-defence’ should go before Security Council, argues independent rights expert’ (9 July 2020) <https://news.un.org/en/story/2020/07/1068041>.

²⁷⁵*Ibid.*

²⁷⁶UN Human Rights Council, ‘Use of armed drones for targeted killings: Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions’, UN Doc A/HRC/44/38 (15 August 2020).

The strike was in violation of Art. 2 (4) of the UN Charter with insufficient evidence provided of an ongoing or imminent attack. No evidence has been provided that General Soleimani specifically was planning an imminent attack against US interests, particularly in Iraq, for which immediate action was necessary and would have been justified. No evidence has been provided that a drone strike in a third country was necessary or that the harm caused to that country was proportionate to the harm allegedly averted. While there is information suggesting that the US requested, at least in December 2019, that Iraq take action against Kata'ib Hezbollah, no evidence has been provided that Iraq was consulted on how to alleviate any threats posed to the US arising from the visit of General Soleimani, such that Iraq should bear the burden of addressing those threats. No evidence has been produced that there was no time for the US to seek aid from the international community, including the [UN Security Council], in addressing the alleged imminent threats. Major General Soleimani was in charge of Iranian military strategy, and actions, in Iraq and the Syrian Arab Republic. But absent an actual imminent threat to life, the course of action taken by the US was unlawful.²⁷⁷

The United States rejected the report and maintained that it had undertaken the strike in the exercise of the United States' inherent right of self-defence.²⁷⁸ Iran noted that the United States reaction to the report was indicative of 'America's arrogant nature' and that the Soleimani strike was a 'clear instance of state-sponsored terrorism'.²⁷⁹ Iran declared that it will 'neither forgive nor forget the act of terrorism'.²⁸⁰

Cyberattack claims

On 23 July 2020, Spokesperson for the Iranian Ministry of Foreign Affairs spoke to reporters about 'the claims that certain governments and regimes have launched cyberattacks and acts of sabotage against Iran'.²⁸¹ The spokesperson acknowledged that thousands of cyber attacks are

²⁷⁷*Ibid*, 39-40.

²⁷⁸United State, Department of State, 'UN Special Rapporteur Gives More Cause to Distrust UN Human Rights Mechanisms' (9 July 2020) www.2017-2021.state.gov/un-special-rapporteur-gives-more-cause-to-distrust-un-human-rights-mechanisms/index.html.

²⁷⁹Iran, Ministry of Foreign Affairs, 'Spokesman's Reaction to US Officials' Comments on Gen. Soleimani' (10 July 2020) www.en.mfa.ir/portal/newsview/602318.

²⁸⁰Iran, Ministry of Foreign Affairs, 'Spokesman Refutes Anti-Iran Allegation Raised in US Media Report' (14 September 2020) www.en.mfa.ir/portal/newsview/610184.

²⁸¹Iran, Ministry of Foreign Affairs, 'Spokesman Answers Questions on Cyberattacks on Iran' (23 July 2020) www.en.mfa.ir/portal/newsview/603851.

launched against Iran on a daily basis but maintained that most of these attacks are repulsed without making an impact.²⁸² On the issue of the identity of the perpetrators of the cyberattacks, the spokesperson said the following:

Forensic technical and electronic investigations have been conducted by the local experts, and the governments sponsoring and directing the attacks (in some cases the sponsor state) and the groups aiding and abetting the attacks have been identified.

The extent of committing crimes and the activities violating the international regulations – most violations in the latter case are committed by the US government – is a worrying issue for the entire world, and the international community must give an appropriate response to it.²⁸³

The spokesperson went on to explain that ‘it would be perfectly natural to say that the US government will be the prime suspect for any cyberattack against Iran hereafter, unless the contrary is proved’, before reiterating Iran’s right to defend itself:

Iran preserves the right to take the appropriate and proportional reciprocal action at the appropriate time. We may employ any tool to defend ourselves against the cyberattacks, including the cyberspace or other weaponry. Moreover, we will do our utmost to prove the international responsibility of the country starting or facilitating such attacks, and to make them be accountable for their illegal measures.²⁸⁴

Alleged tanker incident in the Gulf of Oman

The United States claimed that Iranian forces had boarded a tanker in the international waters of the Gulf of Oman on 12 August 2020 and argued that this constituted a ‘blatant violation of international law.’²⁸⁵ The United States called upon Iran to articulate the legal basis for its ‘aggressive behavior’.²⁸⁶ The editors were not aware of any official response from Iran at the time of writing.

²⁸²*Ibid.*

²⁸³*Ibid.*

²⁸⁴*Ibid.*

²⁸⁵United States Central Command, ‘IMSC Statement on the Incident with Motor Tanker Wila’ (13 August 2020) www.centcom.mil/MEDIA/STATEMENTS/Statements-View/Article/2311945/imsc-statement-on-the-incident-with-motor-tanker-wila/.

²⁸⁶*Ibid.*

Escalation of rhetoric between Iran and the United States

In a letter dated 15 September 2020 to the UN Security Council, Iran accused the President of the United States, Donald Trump, of repeatedly threatening to use force against Iran.²⁸⁷ The letter warned that Iran would be willing to exercise its right to self-defence against aggression:

We seriously warn about any further military adventurism against Iran by the United States, which must bear the full responsibility for all consequences.

...

The Islamic Republic of Iran will not hesitate to exercise its inherent right to self-defence to protect its people, defend its sovereignty and territorial integrity and secure its national interests against any aggression.²⁸⁸

In a press release by the Iranian Foreign Ministry in September 2020, Iran stated that the United States regime was the ‘biggest threat to world peace and security’ and issued the following warning:

The Islamic Republic of Iran emphasizes that if the US makes any move in line with these threats, whether alone or in cahoots with the few cronies of its own, it will be met with serious reaction and will be responsible for all the *dangerous consequences* of its move.²⁸⁹

Iran wrote to the UN Security Council in December and, once again, accused the United States of adventurism and of conducting ‘a number of provocative military acts’ against Iran.²⁹⁰ Whilst stressing that Iran does not seek conflict, Iran warned that it would respond to any threats or uses of force:

²⁸⁷Iran, Letter dated 15 September 2020 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/905 (15 September 2020).

²⁸⁸*Ibid.*

²⁸⁹Iran, Ministry of Foreign Affairs, ‘Statement on US’ Futile Effort to Reinstate Anti-Iran Sanctions’ (20 September 2020) www.en.mfa.ir/portal/newsview/610994.

²⁹⁰Iran, Letter dated 31 December 2020 from the Chargé d’affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1326 (4 January 2020).

...our ability and resolute determination to protect our people and to defend our security, sovereignty, territorial integrity and vital interests, as well as to respond decisively to any threat or use of force against Iran, must not be underestimated.²⁹¹

In a December 2020 press release by the Iranian Ministry of Foreign Affairs, Iran reiterated its warning against the United States:

Khatibzadeh seriously warned the US president and advised him to avoid creating tensions and dangerous adventurism in his last days in office.

...

The Islamic Republic of Iran considers the US government responsible for the consequences and repercussions of any unwise move under the current circumstances.²⁹²

During this reporting period, the United States claimed, on several occasions, that Iran is ‘the greatest threat’ in the Middle East²⁹³ and the world’s ‘largest state sponsor of terror’.²⁹⁴ The United States cautioned that it would be ‘prepared to respond to Iranian aggression’.²⁹⁵ In a media interview, the United States Secretary of State, Michael Pompeo, answered in the affirmative when asked whether ‘the military option is still on the table’ for dealing with Iran.²⁹⁶ Iran responded by describing the United States as the real ‘destructive and destabilizing’ threat to the region and warned that Iran has an ‘inalienable right to defend the national interests of Iranians.’²⁹⁷

²⁹¹*Ibid.*

²⁹²Iran, Ministry of Foreign Affairs, ‘Spokesman’s Reaction to Claims Made by Trump, CENTCOM Official’ (24 December 2020) www.en.mfa.ir/portal/newsview/621697.

²⁹³United States, Department of State, ‘Secretary Michael R. Pompeo With Ben Shapiro of The Ben Shapiro Show’ (9 September 2020) www.2017-2021.state.gov/secretary-michael-r-pompeo-with-ben-shapiro-of-the-ben-shapiro-show-5/index.html; United States, Department of State, ‘The Return of UN Sanctions on the Islamic Republic of Iran’ (19 September 2020) www.2017-2021.state.gov/the-return-of-un-sanctions-on-the-islamic-republic-of-iran/index.html; United States, Department of State, ‘Secretary Michael R. Pompeo With Maria Bartiromo of Fox News Sunday Morning Futures’ (20 September 2020) www.2017-2021.state.gov/secretary-michael-r-pompeo-with-maria-bartiromo-of-fox-news-sunday-morning-futures-3/index.html.

²⁹⁴United States, Department of State, ‘Secretary Michael R. Pompeo With Bill Hemmer of Fox News’ (16 July 2020) www.2017-2021.state.gov/secretary-michael-r-pompeo-with-bill-hemmer-of-fox-news/index.html; United States, Department of State, ‘Secretary Michael R. Pompeo With Maria Bartiromo of Fox News Sunday Morning Futures’ (2 August 2020) www.2017-2021.state.gov/secretary-michael-r-pompeo-with-maria-bartiromo-of-fox-news-sunday-morning-futures-2/index.html.

²⁹⁵United States, Department of State, ‘This Week in Iran Policy’ (26 September 2020) www.2017-2021.state.gov/this-week-in-iran-policy-22/index.html.

²⁹⁶United States, Department of State, ‘Secretary Michael R. Pompeo with Taher Baraka of Al-Arabiya’ (22 November 2020) www.2017-2021.state.gov/secretary-michael-r-pompeo-with-taher-baraka-of-al-arabiya/index.html.

²⁹⁷Iran, Ministry of Foreign Affairs, ‘Spokesman Condemns US Envoy’s Comments on Military Action against Iran’ (2 July 2020) www.en.mfa.ir/portal/newsview/601202.

In another media interview, Pompeo said that the United States identified Iran as the ‘primary destabilizing support – factor in the Middle East’.²⁹⁸ During separate meetings with Pompeo, the representatives of Kuwait²⁹⁹ and Saudi Arabia³⁰⁰ discussed the need to ‘counter Iran’s aggressive’ acts in the region.

The President of Cuba, Miguel Díaz Canel Bermúdez, expressed Cuba’s ‘solidarity with the Islamic Republic of Iran in the face of US aggressive escalation’ at a UN General Assembly meeting on 22 September 2020.³⁰¹

United States holds Iran accountable for alleged attacks in Iraq

After an alleged rocket attack on 28 September 2020, the United States released a statement suggesting that it ascribed blame to ‘the actions of lawless Iran-backed militias’.³⁰² After a further alleged attack in Baghdad in October, the United States said that it would support the Iraqi government’s efforts to ‘hold accountable Iran-supported arms groups that are undermining Iraq’s stability and its sovereignty’.³⁰³ Once again, the United States blamed ‘Iran-backed militias’ for an alleged rocket attack in Iraq in December 2020.³⁰⁴ A press release by the United States Central Command issued the following warning:

These groups are Iranian-backed because Iran provides both material support and direction. They are rogue because they are actually acting on behalf of Iranian interests and direction in a direct betrayal of Iraqi sovereignty.

...

²⁹⁸United States, Department of State, ‘Secretary Michael R. Pompeo With Ben Shapiro of The Ben Shapiro Show’ (15 December 2020) www.2017-2021.state.gov/secretary-michael-r-pompeo-with-ben-shapiro-of-the-ben-shapiro-show-6/index.html.

²⁹⁹United States, Department of State, ‘Secretary Pompeo’s Meeting with Kuwaiti Foreign Minister Ahmad’ (24 November 2020) www.2017-2021.state.gov/secretary-pompeos-meeting-with-kuwaiti-foreign-minister-ahmad/index.html.

³⁰⁰United States, Department of State, ‘Secretary Pompeo’s Meeting with Saudi Crown Prince Mohammed bin Salman bin Abdulaziz Al Saud’ (22 November 2020) www.2017-2021.state.gov/secretary-pompeos-meeting-with-saudi-crown-prince-mohammed-bin-salman-bin-abdulaziz-al-saud/index.html.

³⁰¹UNGA Verbatim Record, UN Doc A/75/PV.4 (22 September 2020), 45.

³⁰²United States, Department of State, ‘Rocket Attack in Iraq’ (29 September 2020) www.2017-2021.state.gov/rocket-attack-in-iraq/index.html.

³⁰³United States, Department of State, ‘Secretary Michael R. Pompeo at a Press Availability’ (21 October 2020) www.2017-2021.state.gov/secretary-michael-r-pompeo-at-a-press-availability-15/index.html.

³⁰⁴United States, Department of State, ‘Rocket Attack in Iraq’ (20 December 2020) www.2017-2021.state.gov/rocket-attack-in-iraq-2/index.html.

The United States will hold Iran accountable for the deaths of any Americans that result from the work of these Iranian-backed Rogue Militia Groups.³⁰⁵

Iranian nuclear scientist Mohsen Fakhrizadeh killing

Iran notified the UN Security Council that the prominent Iranian Scientist, Mohsen Fakhrizadeh, had been ‘assassinated in a terrorist attack’ on 27 November 2020.³⁰⁶ Iran suggested that Israel was responsible for the killing of Fakhrizadeh:

...our firm evidence clearly indicates that certain foreign quarters have been behind such assassinations. The cowardly assassination of Martyr Fakhrizadeh – with serious indications of Israeli responsibility in it – is another desperate attempt to wreak havoc on our region, as well as to disrupt Iran’s scientific and technological development.³⁰⁷

In its letter, Iran warned the United States and Israel against ‘any adventurist measures’ and cautioned that ‘Iran reserves its rights to take all necessary measures to defend its people and secure its interests’.³⁰⁸

In a press release by the Iranian Foreign Ministry, Iran claimed that it was ‘at the forefront of the war on terrorism’ and called upon the ‘world community to denounce terrorism and build a consensus against tensions and adventurism in the region’.³⁰⁹ In another press release the following day, Iran made the following suggestion about Israel’s involvement in the killing of Fakhrizadeh:

Terrorists assassinated an eminent Iranian scientist. Such a cowardly act which has serious signs of Israel’s involvement indicates the bellicosity of its perpetrators out of desperation.

³⁰⁵United States Central Command, ‘U.S. Central Command Statement on Dec. 20, 2020 Rocket Attack’ (23 December 2020) www.centcom.mil/MEDIA/STATEMENTS/Statements-View/Article/2456662/us-central-command-statement-on-dec-20-2020-rocket-attack/.

³⁰⁶Iran, Letter dated 27 November 2020 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1148, (30 November 2020).

³⁰⁷*Ibid.*

³⁰⁸*Ibid.*

³⁰⁹Iran, Ministry of Foreign Affairs, ‘Terrorists assassinated yet another eminent Iranian scientist’ (28 November 2020) www.en.mfa.ir/portal/newsview/618784.

Iran calls on the international community, especially the European states, to abandon their double standards and denounce the act of state-terrorism.³¹⁰

During a visit to Iran, Syrian Minister of Foreign Affairs, Faisal Al-Miqdad, referred to the killing of Fakhrizadeh as an assassination and a ‘terrorist crime against all humanity and a stigma against "Israel" and its supporters’.³¹¹ Al-Miqdad stressed the importance of continued cooperation between Syria and Iran in order to face the ‘aggression’ by ‘the Israeli entity and the countries that support it’.³¹²

Venezuela condemned the killing of Fakhrizadeh and described it as an ‘assassination’, whilst reaffirming ‘its strong rejection against any terrorist act, no matter where it comes from’.³¹³ Qatar³¹⁴ and Iraq³¹⁵ condemned the ‘assassination’ in separate telephone conversations with the Iranian Foreign Minister, whilst Palestine³¹⁶ and Syria³¹⁷ described the killing as a ‘terrorist assassination’. Oman referred to the killing as a ‘terrorist act’.³¹⁸ Russia held that those responsible for the ‘assassination’ must be held to account:

We are seriously worried by the provocative nature of this terrorist attack, which was obviously designed to destabilise the region and exacerbate its conflict potential. Those who organised the assassination to further their political interests must be held accountable.³¹⁹

³¹⁰Iran, Ministry of Foreign Affairs, ‘Iran calls on the international community, especially the European states, to abandon their double standards and denounce the act of state-terrorism’ (29 November 2020) www.en.mfa.ir/portal/newsview/618823.

³¹¹Syria, Ministry of Foreign Affairs, ‘Minister Al-Miqdad records a speech in the Iranian Ministry of Defense's open condolences register for the martyrdom of the nuclear scientist Mohsen Fakhrizadeh’, [Press Release of 8 December 2020](#) (8 December 2020).

³¹²*Ibid.*

³¹³Venezuela, Ministerio del Poder Popular para Relaciones Exteriores, ‘Venezuela condemns the assassination of the Iranian scientist Mohsen Fajrizade in a terrorist attempt’ (27 November 2020) www.mppre.gob.ve/en/comunicado/venezuela-condemns-assassination-iranian-scientist-fajrizade-terrorist-attempt/.

³¹⁴Iran, Ministry of Foreign Affairs, ‘Iranian, Qatari Foreign Ministers Hold Phone Talks’ (28 November 2020) www.en.mfa.ir/portal/newsview/618781.

³¹⁵Iran, Ministry of Foreign Affairs, ‘Iraqi Foreign Minister Condemns Assassination of Iranian Scientist’ (29 November 2020) www.en.mfa.ir/portal/newsview/618849.

³¹⁶Iran, Ministry of Foreign Affairs, ‘Foreign Minister Zarif, Hamas Chief Hold Phone Talks’ (28 November 2020) www.en.mfa.ir/portal/newsview/618782.

³¹⁷Iran, Ministry of Foreign Affairs, ‘Iranian, Syrian Top Diplomats Hold Phone Conversation’ (28 November 2020) www.en.mfa.ir/portal/newsview/618783.

³¹⁸Iran, Ministry of Foreign Affairs, ‘Iranian, Omani Foreign Ministers Hold Phone Talks’ (29 November 2020) www.en.mfa.ir/portal/newsview/618836.

³¹⁹Russia, Ministry of Foreign Affairs, ‘Comment by the Information and Press Department on the assassination of Iranian scientist Mohsen Fakhrizadeh’ (30 November 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4462604.

In a press release from the Iranian Foreign Ministry in December 2020, Iran made the following remark about the United States and the killing of Fakhrizadeh:

His assassination showed US' true colors. Will Never Forget Will Never Forgive.³²⁰

Iran-Israel: Escalation of rhetoric between Iran and Israel

Iran accused the Israeli regime of being one of the main supporters of terrorist groups in the Middle East and alleged that Israel was providing weaponry to Daesh and Al-Nusra Front.³²¹ Iran also accused the Israeli regime of being the ‘greatest threat to world peace’.³²²

On 29 September 2020, Israeli Prime Minister, Benjamin Netanyahu, referred to Iran as ‘the greatest enemy of peace in the Middle East’.³²³ On the same day, it was reported that Prime Minister Netanyahu had spoken about the prospect of a pre-emptive strike against Iran and stated that ‘we are not ruling out a preliminary strike’.³²⁴ Iran referred to this report in its letter dated 8 October 2020 to the UN Security Council and warned Israel against ‘[s]uch provocative warmongering declarations’:

While rejecting such provocations and seriously warning the Israeli regime about taking any measure against my country, it must be stressed that the Islamic Republic of Iran would not hesitate to exercise its inherent right to self-defence, in accordance with Article 51 of the Charter of the United Nations.³²⁵

³²⁰Iran, Ministry of Foreign Affairs, ‘Our region lost a great warrior for peace’ (31 December 2020) www.en.mfa.ir/portal/newsview/622748.

³²¹Iran, Letter dated 5 July 2020 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General, UN Doc S/2020/651 (6 July 2020).

³²²Iran, Ministry of Foreign Affairs, ‘Spokesman Mocks Netanyahu's Puppet Show at UNGA’ (30 September 2020) www.en.mfa.ir/portal/newsview/612379.

³²³Israel, Ministry of Foreign Affairs, ‘PM Netanyahu addresses United Nations General Assembly’ (29 September 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-addresses-UNGA-29-September-2020.aspx.

³²⁴Lilia Dergacheva, ‘Netanyahu Not Ruling Out Preemptive Strike Against Iran’, *Sputnik News* (29 September 2020) www.sputniknews.com/middleeast/202009291080608977-netanyahu-not-ruling-out-preemptive-strike-against-iran/.

³²⁵Iran, Letter dated 8 October 2020 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council, UN Doc S/2020/989 (8 October 2020).

Throughout this reporting period, Israel continued to make references to Iranian ‘aggression’ and the ‘threats’ posed by Iran.³²⁶ During a meeting with the United States National Security Adviser, Robert O’Brien, Prime Minister Netanyahu gave the following warning about Iran:

As long as Iran continues to subjugate and threaten its neighbors; as long as Iran continues calling for Israel's destruction; as long as Iran continues to bankroll, equip and train terrorist organizations throughout the region and the world; and as long as Iran persists in its dangerous quest for nuclear weapons, and the means to deliver them, we shouldn't go back to business as usual with Iran. We should all unite to prevent this major threat to world peace.³²⁷

Iran, on several occasions, accused both Israel and the United States of pursuing ‘hostile and hegemonic policies’ in the Middle East through ‘occupation, aggression and oppression’.³²⁸

Iraq-Turkey: Turkey’s claim of self-defence

³²⁶Israel, Ministry of Foreign Affairs, ‘PM Netanyahu comments on UNSC Decision’ (15 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-comments-on-UNSC-Decision-15-August-2020.aspx; Israel, Ministry of Foreign Affairs, ‘Israel welcomes US decision to call on the UNSC to operate the “SnapBack” mechanism’ (20 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/Israel-welcomes-US-decision-to-operate-SnapBack-mechanism-20-August-2020.aspx; Israel, Ministry of Foreign Affairs, ‘PM Netanyahu's statement on US decision to trigger snapback sanctions against Iran’ (20 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-s-statement-on-US-decision-to-trigger-snapback-sanctions-against-Iran-20-August-2020.aspx; Israel, Ministry of Foreign Affairs, ‘PM Netanyahu meets with US Secretary of State Mike Pompeo’ (24 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-meets-with-US-Secretary-of-State-Pompeo-24-August-2020.aspx; Israel, Ministry of Foreign Affairs, ‘PM Netanyahu meets with UK Foreign and Commonwealth Secretary Dominic Raab’ (25 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-meets-with-UK-Foreign-and-Commonwealth-Secretary-Dominic-Raab-25-August-2020.aspx; Israel, Ministry of Foreign Affairs, ‘FM Ashkenazi meets with British Foreign Secretary Dominic Raab in Jerusalem’ (25 August 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/FM-Ashkenazi-meets-with-British-Foreign-Secretary-Dominic-Rab-in-Jerusalem-25-August-2020.aspx; Israel, Ministry of Foreign Affairs, ‘PM Netanyahu meets with US Chairman of the Joint Chiefs of Staff Gen. Mark A. Milley’ (18 December 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-meets-with-US-Chairman-of-the-Joint-Chiefs-of-Staff-Gen--Mark-A--Milley-18-December-2020.aspx; Israel, Ministry of Foreign Affairs, ‘President Rivlin meets with US Ambassador to the UN Kelly Craft’ (23 December 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/President-Rivlin-meets-with-US-Ambassador-to-the-UN-Kelly-Craft-23-December-2020.aspx; Israel, Ministry of Foreign Affairs, ‘PM Netanyahu and Israeli Ambassador to the UN Erdan meet with US Ambassador to the UN Kelly Craft’ (24 December 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-and-Ambassador-Erdan-meet-with-US-Ambassador-to-the-UN-Craft-24-December-2020.aspx.

³²⁷Israel, Ministry of Foreign Affairs, ‘PM Netanyahu meets with US National Security Adviser Robert O’Brien’ (13 December 2020) www.mfa.gov.il/MFA/PressRoom/2020/Pages/PM-Netanyahu-meets-with-US-National-Security-Adviser-Robert-OBrien-13-December-2020.aspx.

³²⁸Iran, Letter dated 24 July 2020 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General, UN Doc S/2020/739 (24 July 2020); Iran, Letter dated 15 December 2020 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1221 (16 December 2020).

In a letter dated 16 June 2020 to the UN Security Council, Iraq provided a summary of alleged violations of Iraqi territory committed by Turkey between 1 August 2017 and 4 December 2019.³²⁹ Iraq stated that it rejected arguments put forward by Turkey to justify ‘ongoing military operations and violations of the sovereignty and territorial integrity of Iraq’.³³⁰ Turkey responded to Iraq’s letter by claiming that it was exercising its right of self-defence:

I would like to emphasize that, in the absence of Iraq’s ability to deal with the presence of terrorists in its own territory, Turkey is obliged to take appropriate measures against terrorist threats to Turkey’s security emanating from Iraq.

Any criticism towards Turkey for exercising its inherent right of self-defence, as outlined in Article 51 of the Charter of the United Nations, and acting within the context of the responsibility attributed by relevant Security Council resolutions to States Members of the United Nations in the fight against terrorism is unacceptable.³³¹

During a meeting at the UN Security Council, convened on 26 August 2020, Iraq informed the Security Council that Turkey had launched military operations in the north of Iraq without any prior consultations with the Iraqi Government.³³² Iraq argued that the Turkish ‘violations threaten not only Iraq’s sovereignty, but also its security and stability’ and affirmed its ‘right to confront any attack that threatens the security of Iraq’.³³³ Turkey refuted these allegations and reaffirmed its right to respond in self-defence to threats emanating from Iraq, in the absence of Iraq’s ability to deal with the presence of terrorists in its own territory.³³⁴

Iraq wrote to the UN Security Council, once again, to provide a summary of violations of Iraqi territory and airspace committed by Turkey between 13 July and 29 September 2020.³³⁵ Turkey, again, refuted these allegations and reaffirmed its right to respond in self-defence to

³²⁹Iraq, Identical letters dated 16 June 2020 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/553 (8 July 2020).

³³⁰*Ibid.*

³³¹Turkey, Letter dated 8 July 2020 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council, UN Doc S/2020/677 (13 July 2020).

³³²Letter dated 28 August 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council, UN Doc S/2020/845 (31 August), 27-28.

³³³*Ibid.*

³³⁴Turkey, Letter dated 2 September 2020 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council, UN Doc S/2020/885 (4 September 2020).

³³⁵Iraq, Identical letters dated 29 October 2020 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1065 (6 November 2020).

threats emanating from Iraq, in the absence of Iraq's ability to deal with the presence of terrorists in its own territory.³³⁶

In another meeting at the UN Security Council, convened on 24 November 2020, Iraq claimed that Turkey was continuing to conduct military operations on Iraq's territory without prior consultation with the Government of Iraq.³³⁷ In response, Turkey explained that Iraq had an obligation to prevent its territory from being used to attack Turkey:

The Government of Iraq has the obligation under international law as well as the Iraqi Constitution to eliminate the Kurdistan Workers' Party (PKK) and other terrorist organizations' presence within its borders and prevent the use of its territories to launch terrorist attacks against Turkey. However, Iraqi authorities have not been able to fulfil this obligation so far.³³⁸

Turkey went on to reaffirm its right to respond in self-defence to threats emanating from Iraq, in the absence of Iraq's ability to deal with the presence of terrorists in its own territory.³³⁹

Libya: Increase in foreign interference

On 8 July 2020 the United Nations Secretary-General, Antonio Guterres, warned that the conflict in Libya had 'entered a new phase, with foreign interference reaching unprecedented levels, including... the number of mercenaries involved in the fighting'.³⁴⁰

Cyprus expressed its commitment for the sovereignty of Libya and rejected Turkey's 'sponsoring of the transfer of foreign terrorist fighters into Libya.'³⁴¹ Syria wrote to the UN Security Council, in a letter dated 23 December 2020, and alleged that there was an intensification of Turkish efforts to recruit mercenaries and to dispatch them to fight in Libya.³⁴²

³³⁶Turkey, Letter dated 16 November 2020 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council, UN Doc S/2020/1117 (16 November 2020).

³³⁷ Letter dated 27 November 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council, UN Doc S/2020/1144 (30 November 2020), 32.

³³⁸Turkey, Letter dated 3 December 2020 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council, UN Doc S/2020/1165 (3 December 2020).

³³⁹*Ibid.*

³⁴⁰United Nations News, 'Time is running out for Libya, UN chief warns Security Council' (8 July 2020) www.news.un.org/en/story/2020/07/1067961.

³⁴¹Cyprus, Ministry of Interior, 'Joint Declaration of the 8th Cyprus - Egypt - Greece Trilateral Summit, Nicosia' (21 October 2020) www.pio.gov.cy/en/press-releases-article.html?id=16365#flat.

³⁴²Syria, Identical letters dated 23 December 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1287 (29 December 2020).

Syria said that it ‘trusts that the Security Council will fulfil its responsibilities... by obliging [Turkey] to stop sponsoring and supporting terrorism and trafficking mercenaries in order to threaten peace and security in the region and around the world.’³⁴³

During this reporting period, Russia repeatedly blamed the 2011 ‘NATO aggression’ as the origins of the Libyan crisis.³⁴⁴ The Russian Foreign Minister stated:

All the problems that Libya is experiencing now began in 2011, when NATO carried out direct military aggression in Libya to overthrow the Muammar Gaddafi regime, in gross violation of the UN Security Council resolution.³⁴⁵

Bahrain-Qatar: Escalations of hostilities in the region

Qatar wrote to the UN Security Council to inform the Council that Bahraini military aircraft had allegedly violated Qatar’s airspace on 9 December 2020.³⁴⁶ Qatar condemned the ‘violation of its sovereignty’ and called upon Bahrain to refrain from these ‘irresponsible provocations’.³⁴⁷ Qatar affirmed its intention to exercise the highest degree of restraint but gave the following warning:

³⁴³*Ibid.*, 2.

³⁴⁴Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s statement and answers to media questions at a joint news conference following talks with Italian Foreign Minister Luigi Di Maio, Moscow’ (14 October 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4381601; Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s interview with Russian and foreign media on current international issues, Moscow’ (12 November 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4429844; Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s remarks and answers to media questions at a joint news conference following talks with Minister of Foreign Affairs and International Cooperation of the United Arab Emirates Abdullah bin Zayed Al Nahyan, Moscow’ (14 December 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4485929; Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s remarks and answers to media questions during the joint news conference following the talks with Foreign Minister of Turkey Mevlut Cavusoglu at the 8th Meeting of the Joint Strategic Planning Group, Sochi’ (29 December 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4515679; Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s opening remarks during talks with Foreign Minister of the Libyan Government of National Accord Mohamed Siala, Moscow’ (30 December 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4516110; Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s statement and answers to media questions at a joint news conference following talks with Foreign Minister of the Libyan Government of National Accord Mohamed Siala, Moscow’ (December 30, 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4516455.

³⁴⁵Russia, Ministry of Foreign Affairs, ‘Foreign Minister Sergey Lavrov’s interview with Sputnik News Agency’ (18 September 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4340937.

³⁴⁶Qatar, Identical letters dated 23 December 2020 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1284 (29 December 2020).

³⁴⁷*Ibid.*

However, it reserves the full right to respond to any violations in accordance with its legitimate sovereign right, and stresses that, in accordance with the provisions of international law and the Charter of the United Nations, it will take whatever measures are necessary to defend its borders, airspace, territorial waters and national security.³⁴⁸

Bahrain responded to refute the allegations made by Qatar and, instead, argued that it was Qatar that was engaging in acts of provocation, supporting terrorism and threatening international security and peace.³⁴⁹ Qatar responding to these allegations by writing to the United Nations Security Council to refute the allegations and maintaining that the violation of Qatari airspace by Bahrain on 9 December 2020 did occur.³⁵⁰

In a letter dated 31 December 2020, Qatar informed the UN Security Council that Bahrain had allegedly violated Qatar's territorial waters and airspace, and warned that 'Qatar will not hesitate to take the measures required to defend its sovereignty'.³⁵¹

Yemen: Hostilities continue

Iran accused the Saudi-led coalition of conducting airstrikes and killing civilians in Yemen in July 2020.³⁵² Iran condemned the strikes and called upon the United Nations to take necessary measures to protect Yemeni civilians.³⁵³ Iran, on several occasions during this reporting period, referred to the Saudi-led coalition as 'aggressors' and accused the coalition of ongoing aggression.³⁵⁴

³⁴⁸*Ibid*, 2.

³⁴⁹Bahrain, Identical letters dated 25 December 2020 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1294 (4 January 2021).

³⁵⁰Bahrain, Identical letters dated 30 December 2020 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1312 (4 January 2020).

³⁵¹Qatar, Identical letters dated 31 December 2020 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc S/2020/1325 (5 January 2020).

³⁵²Iran, Ministry of Foreign Affairs, 'Spokesman Condemns Fatal Saudi-Led Airstrikes on Yemen' (17 July 2020) www.en.mfa.ir/portal/newsview/603125.

³⁵³*Ibid*.

³⁵⁴Iran, Ministry of Foreign Affairs, 'Spokesman Decries PGCC Chief's Anti-Iran Accusations' (14 July 2020) www.en.mfa.ir/portal/newsview/602708; Iran, Ministry of Foreign Affairs, 'Foreign Minister Zarif Holds Talks with Yemeni Counterpart' (14 July 2020) www.en.mfa.ir/portal/newsview/602725; Iran, Ministry of Foreign Affairs, 'Spokesman Strongly Condemns Assassination of Yemeni Minister' (28 October 2020) www.en.mfa.ir/portal/newsview/615199; Iran, Ministry of Foreign Affairs, 'Spokesman Condemns Yemen Airport Blasts' (31 December 2020) www.en.mfa.ir/portal/newsview/622714.

In October 2020, the United States Secretary of State, Michael Pompeo, claimed that Houthi attacks against Saudi Arabia continued to emanate from Yemen and that these attacks were ‘supported and underwritten by the Iranians’.³⁵⁵ The United States continued to condemn ‘Iranian-backed Houthi attacks’ against Saudi Arabia as they occurred.³⁵⁶

In November 2020, Saudi Arabia wrote to the UN Security Council to inform it of a ‘terrorist attack’ at one of its oil distribution stations in Jeddah.³⁵⁷ Saudi Arabia identified the ‘Houthis militia backed by Iran’ as being responsible for the attack and issued the following warning:

...Saudi Arabia will spare no efforts to protect its territory and citizens from such terrorist attacks in accordance with its obligations under international law.³⁵⁸

4. Asia

Armenia-Azerbaijan: Conflict erupts

Clashes and intensified rhetoric in July and August

The previous Digest reported an increase in tensions between Azerbaijan and Armenia, particularly over the Nagorno-Karabakh Line of Contact.³⁵⁹ In this reporting period, rhetoric evolved into full military engagement between the two states.

Prior to the significant increase in hostilities, Armenia and Azerbaijan continued to accuse each other of ceasefire violations in letters to the United Nations, a pattern of rhetoric that regularly continued.³⁶⁰

³⁵⁵United States, Department of State, ‘Secretary Michael R. Pompeo at a Press Availability’ (14 October 2020) www.2017-2021.state.gov/secretary-michael-r-pompeo-at-a-press-availability-14/index.html.

³⁵⁶United States, Department of State, ‘Iran-backed Houthi Attacks Against Saudi Arabia’ (29 October 2020) www.2017-2021.state.gov/iran-backed-houthi-attacks-against-saudi-arabia/index.html; United States, Department of State, ‘This Week in Iran Policy’ (30 October 2020) www.2017-2021.state.gov/this-week-in-iran-policy-23/index.html.

³⁵⁷Saudi Arabia, Letter dated 23 November 2020 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council, UN Doc S/2020/1135 (24 November 2020).

³⁵⁸*Ibid.*

³⁵⁹ Previous Digest (n 81) at 395-8.

³⁶⁰ See, for example: Armenia, Letter dated 7 July 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/74/937–S/2020/656 (8 July 2020); Azerbaijan,

On 12 July, Armenia and Azerbaijan exchanged accusations following military clashes along their border.³⁶¹ Azerbaijan called the incident a ‘provocation by the armed forces of Armenia’, and ‘attempted to attack to seize positions’ which ‘was prevented by retaliatory measures’.³⁶² Armenia accused Azerbaijan of a ‘provocative’ attack on border positions, and alleged that the attacks resumed the next day.³⁶³ Reports confirm that fighting resumed on 13 July.³⁶⁴ Armenia later expanded on their accusations, stating, ‘[w]hile Armenia called for immediate de-escalation, taking suppressive measures to contain the level of violence, Azerbaijan continued shelling an Armenian town and villages within its reach, with the use of heavy weaponry, including artillery and tanks, as well as unmanned aerial vehicles and large infantry units.’³⁶⁵

Responding to what they called a ‘serious breach of the ceasefire on the Armenian-Azerbaijani border’, the Co-Chairs of the OSCE Minsk Group (France, Russia, and the US) said:

The sides have accused each other of initiating the fighting. The Minsk Group Co-Chairs condemn the recent ceasefire violations and call upon the sides to take all necessary measures to prevent any further escalation, including by use of the existing direct communication channels between them.³⁶⁶

Letter dated 10 July 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/74/945–S/2020/703 (13 July 2020); Azerbaijan, Letter dated 23 July 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/74/965–S/2020/737 (24 July 2020); Armenia, Letter dated 7 August 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/74/986–S/2020/787 (10 August 2020); Azerbaijan, Letter dated 24 August 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/74/999–S/2020/833 (25 August 2020); Azerbaijan, Letter dated 17 September 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/241–S/2020/916 (21 September 2020); Armenia, Letter dated 24 September 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/350–S/2020/941 (24 September 2020).

³⁶¹ ‘Two Killed in Azerbaijan-Armenia Border Clashes’, *The Defense Post* (12 July 2020) www.thedefensepost.com/2020/07/12/azerbaijan-armenia-karabakh/.

³⁶² Azerbaijan, Letter dated 13 July 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/74/947–S/2020/707 (13 July 2020); see further, Azerbaijan, Letter dated 14 July 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/74/952–S/2020/709 (15 July 2020).

³⁶³ Armenia, Letter dated 14 July 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/74/950–S/2020/708 (14 July 2020).

³⁶⁴ ‘Four Dead as Fighting Resumes on Azerbaijan-Armenia Border’, *The Defense Post* (13 July 2020) www.thedefensepost.com/2020/07/13/fighting-azerbaijan-armenia-border/.

³⁶⁵ Armenia, Letter dated 16 July 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/74/956–S/2020/719 (17 July 2020).

³⁶⁶ OSCE, ‘Press Statement by the Co-Chairs of the OSCE Minsk Group’, (13 July 2020) www.osce.org/minsk-group/457225.

Armenia accused Azerbaijan of further hostilities, including:

deliberately targeting civilian infrastructures and population, and expanding the geography of escalation. Today the civilian infrastructure of the city of Berd was shelled by unmanned combat aerial vehicles.

...

These aggressions against the security of the civilian population of Armenia will receive a proportionate response, for which the Azerbaijani side bears full responsibility.³⁶⁷

Azerbaijan also expanded on their accusations regarding the hostilities from 12 July, alleging that ‘the armed forces of Armenia, in blatant violation of international law, launched a cross-border attack against Azerbaijan in the Tovuz district, with the use of artillery and mortars.’³⁶⁸ Azerbaijan also accused Armenia of launching the attacks ‘across the international border, far away from the Nagorno-Karabakh region and other occupied territories of Azerbaijan’ with an apparent aim ‘to expand aggression and gain control over the heights in the territory of Azerbaijan that would enable the armed forces of Armenia to keep the surrounding Azerbaijani localities and the strategic oil and gas pipeline.’³⁶⁹

Again, on 14 July, fighting continued and more armed personnel were killed.³⁷⁰ As hostilities continued, members of the international community called for calm, including Russia,³⁷¹ the EU,³⁷² and the UN Secretary-General.³⁷³

As hostilities subdued between July and September, Azerbaijan forwarded a report to the UN Secretary General, commissioned by Azerbaijan, written by Malcolm Shaw QC on the

³⁶⁷ Armenia Letter of 14 July 2020 (n 363), 3.

³⁶⁸ Azerbaijan, Letter dated 22 July 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/74/963–S/2020/732 (23 July 2020).

³⁶⁹ *Ibid.*

³⁷⁰ ‘Nine Soldiers Dead in New Fighting on Armenia-Azerbaijan Border’, *The Defense Post* (14 July 2020) www.thedefensepost.com/2020/07/14/soldiers-dead-armenia-border/.

³⁷¹ Russia, Ministry of Foreign Affairs, ‘Statement by the Foreign Ministry’, (13 July 2020) www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4229025.

³⁷² EU, External Action Service, ‘Armenia-Azerbaijan: Statement by the Spokesperson on the recent armed clashes’, (13 July 2020) https://eeas.europa.eu/headquarters/headquarters-homepage/82766/armenia-azerbaijan-statement-spokesperson-recent-armed-clashes_en.

³⁷³ UN Secretary-General, ‘Statement attributable to the Spokesman for the Secretary-General on exchanges of fire along the Armenia-Azerbaijan border’, (13 July 2020) www.un.org/sg/en/content/sg/statement/2020-07-13/statement-attributable-the-spokesman-for-the-secretary-general-exchanges-of-fire-along-the-armenia-azerbaijan-border.

principles of territorial integrity and self-determination and how they apply to Armenia's occupation of parts of Nagorno-Karabakh.³⁷⁴ On the basis of the report, Azerbaijan argued:

Armenia's claims as to the detachment of the Nagorno-Karabakh region from Azerbaijan are in clear contradiction of international law, that its understanding of the right to self-determination is flawed and that Armenia is in violation of the fundamental norm of respect for the territorial integrity of States and other relevant international legal principles, such as the rule prohibiting the use of force.³⁷⁵

Azerbaijan's Foreign Minister wrote to the UN at the end of July to complain of 'provocative statements of Armenia against the territorial integrity of the Republic of Azerbaijan, which pose existential challenges to the already shaky negotiation process under the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE).'³⁷⁶ The Foreign Minister argued that Armenia's attack on 12 to 16 July was 'by no means a spontaneous military incident, but yet another deliberate act of aggression, being the latest manifestation of illegal use of force by Armenia against the Republic of Azerbaijan, and pursued the goal of seizing a new part of Azerbaijan. This reckless military assault was planned well in advance on the basis of aggressive military doctrine, which according to the Minister of Defence of Armenia envisages "pre-emptive strikes aiming at creating more favourable security situation" and "new war for new territories".'³⁷⁷

On 24 September, Azerbaijan wrote to the UN to detail a number of 'words and deeds' that Armenia had allegedly 'undermined the negotiation process' between the two states.³⁷⁸ Azerbaijan also alleged that 'continuing preparation for the next turn of aggression, Armenia has acquired a large amount of weapons and ammunition and concentrated its forces along the line of contact.'³⁷⁹

Sustained hostilities break out

³⁷⁴ Azerbaijan, Letter dated 21 July 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/74/961-S/2020/729 (22 July 2020), Annex: Report on the fundamental norm of the territorial integrity of States and the right to self-determination in the light of Armenia's revisionist claims.

³⁷⁵ *Ibid.*, 2.

³⁷⁶ Azerbaijan, Letter dated 5 August 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/74/982-S/2020/779 (7 August 2020).

³⁷⁷ *Ibid.*

³⁷⁸ Azerbaijan, Letter dated 24 September 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/352-S/2020/942 (24 September 2020).

³⁷⁹ *Ibid.*

On 27 September 2020, intense military fighting broke out between Armenia and Azerbaijan, killing at least 16 on the first day.³⁸⁰ Both states declared martial law, and mobilised their militaries.³⁸¹ Both sides also accused each other of initiating the fighting. Azerbaijan said that Armenia:

... launched another aggression against Azerbaijan, by intensively shelling the positions of the armed forces of Azerbaijan along the frontline, as well as the villages of Qapanli of Terter district, Chiragli and Orta Garavend of Aghdam district, Alkhanli and Shukurbeyli of Fizuli district and Jojuq Merjanli of Jabrayil district, using large-calibre weapons, mortar launchers and artillery.

...

In order to prevent another military aggression by Armenia and provide the security of densely populated civilian residential areas the Armed Forces of the Republic of Azerbaijan undertake counter-offensive measures within the right of self-defence and in full compliance with the international humanitarian law.³⁸²

On the other hand, Armenia said:

Azerbaijani armed forces launched large-scale airborne, missile, and land attack along the entire line of contact between Nagorno-Karabakh and Azerbaijan, targeting civilian settlements, infrastructure, and schools, including in the capital city of Stepanakert. There were also casualties among civilians: a woman and a child were killed during the very first strikes.

The aggression was well-prepared and any reference by the Azerbaijani side to an alleged “counterattack” is utterly deceptive. The offensive was militarily pre-planned well in advance. Azerbaijan has never made secret of its strategic goal to resolve the

³⁸⁰ Nvard Hovhannisyan and Nailia Bagirova, ‘Armenia-Azerbaijan clashes kill at least 16, undermine regional stability’, *Reuters* (27 September 2020) www.reuters.com/article/us-armenia-azerbaijan/clashes-between-armenia-and-azerbaijan-threaten-south-caucasus-stability-idUSKBN26I06E.

³⁸¹ *Ibid.*

³⁸² Letter dated 27 September 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/357-S/2020/948 (28 September 2020).

Nagorno-Karabakh conflict by using force and, thus, has been maintaining the tension high across both the line of contact and the Armenian-Azerbaijani state border.³⁸³

Armenia also made other allegations in the same letter on the day the conflict started, including that Azerbaijan was recruiting fighters from the Syrian conflict to be used against Armenia, and that ‘Turkey has been openly supporting Azerbaijan’s military activities against Armenia and encouraging the use of force.’³⁸⁴

As the hostilities continued, and fighting intensified over the days and weeks,³⁸⁵ Armenia and Azerbaijan continued to write to the UN Secretary-General alleging numerous violations of international law³⁸⁶ by the other side that became more and more detailed about how the fighting started with each iteration.³⁸⁷ In terms of *jus ad bellum*, for example, Armenia made several accusations that Turkey was supporting Azerbaijan’s military, including by providing air support along the border, and that it had shot down a Turkish fighter.³⁸⁸ Armenia and the representatives of ‘the Republic of Artsakh’ also repeated allegations that foreign fighters from Syria were being used in the conflict.³⁸⁹ Azerbaijan accused Armenia early on in the hostilities of deliberately targeting civilians.³⁹⁰ Armenia later accused Azerbaijan of having ‘genocidal intent’, and of committing crimes against humanity.³⁹¹

³⁸³ Armenia, Letter dated 27 September 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/356–S/2020/947 (28 September 2020).

³⁸⁴ *Ibid.*

³⁸⁵ See, for example, ‘At Least 39 Killed as Karabakh Fighting Enters Second Day’, *The Defense Post* (28 September 2020) www.thedefensepost.com/2020/09/28/karabakh-fighting/.

³⁸⁶ There were numerous allegations on both sides of violations of *jus in bello* / international humanitarian law, which have not been covered in this Digest in full, but many of these are included in the letters and sources cited here in any case.

³⁸⁷ See, for example, Armenia, Letter dated 28 September 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/366–S/2020/955 (29 September 2020); Azerbaijan, Letter dated 29 September 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/368–S/2020/956 (30 September 2020); Armenia, Letter dated 5 October 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/496 –S/2020/984 (7 October 2020); Azerbaijan, Letter dated 1 October 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/379–S/2020/965 (16 October 2020); Armenia, Letter dated 31 October 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/566–S/2020/1073 (3 November 2020).

³⁸⁸ Armenia, Letter dated 30 September 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/370–S/2020/959 (30 September 2020), Annex; reports suggest Turkey denied these allegations, Nailia Bagirova and Nvard Hovhannisyanyan, ‘Azerbaijan and Armenia reject talks as Karabakh conflict zone spreads’, *Reuters* (29 September 2020) www.reuters.com/article/us-armenia-azerbaijan/azerbaijan-and-armenia-reject-peace-talks-as-karabakh-conflict-zone-widens-idUSKBN26K0KN.

³⁸⁹ See, for example, Armenia, Letter dated 3 October 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/491–S/2020/976 (6 October 2020).

³⁹⁰ Azerbaijan, Letter dated 2 October 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/486–S/2020/969 (2 October 2020).

³⁹¹ Armenia, Letter dated 29 October 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/562–S/2020/1060 (30 October 2020).

Azerbaijan accused Armenia of expanding military strikes to ‘major cities of Azerbaijan and the critical civilian infrastructure of a regional importance situated far away from the combat zone’,³⁹² after a rocket attack struck the Azerbaijani city of Ganja,³⁹³ and again in late October when Azerbaijan said cluster munitions had been used against the city of Barda.³⁹⁴ Reports also suggested that the city of Stepanakert in Nagorno-Karabakh was also under heavy artillery fire by Azerbaijan.³⁹⁵ These developments by mid-October led to hostilities expanding beyond the Nagorno-Karabakh region and occasionally spilled into uncontested territory of Azerbaijan and Armenia.³⁹⁶

International reaction to the conflict

Much of the international reaction to the conflict generally expressed concern over the escalation in hostilities, called for calm, and a cessation of fighting.³⁹⁷ The UN Security Council met in an informal closed-door discussion, where reports suggested most states expressed concern for the escalating conflict, and support for a ceasefire.³⁹⁸

Russia said ‘We call on all sides, especially partner countries such as Turkey to do all they can for a ceasefire and get back to a peaceful settlement of this conflict using political and

³⁹² Azerbaijan, Letter dated 5 October 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/497–S/2020/982 (7 October 2020); Azerbaijan, Letter dated 17 October 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/529–S/2020/1027 (21 October 2020).

³⁹³ Nailia Bagirova, Margarita Antidze, and Mark Trevelyan, ‘Azerbaijan says one civilian dead, four wounded in Armenian rocket attack on Ganja’, *Reuters* (4 October 2020) www.reuters.com/article/us-armenia-azerbaijan-ganja-idUSKBN26P0DK.

³⁹⁴ Letter dated 28 October 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/558–S/2020/1051 (30 October 2020). Azerbaijan later highlighted reports from Amnesty International and Human Rights Watch that expressed concerns over these incidents: see, Azerbaijan, Letter dated 3 November 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/574–S/2020/1083 (4 November 2020).

³⁹⁵ See, for example, ‘Fears Grow for Civilians as Karabakh Fighting Rages’, *The Defense Post* (5 October 2020) www.thedefensepost.com/2020/10/05/fears-civilians-karabakh/.

³⁹⁶ ‘Azerbaijan Says Hit Missile Launch Sites in Armenia’, *The Defense Post* (14 October 2020) www.thedefensepost.com/2020/10/14/karabakh-missile-launch-sites/.

³⁹⁷ See, for example, UK and Canada, UK Foreign Commonwealth and Development Office, ‘Nagorno-Karabakh: UK and Canada joint statement in response to continued military clashes’, (6 October 2020) www.gov.uk/government/news/nagorno-karabakh-uk-and-canada-joint-statement-in-response-to-continued-military-clashes.

³⁹⁸ ‘Nagorno-Karabakh Consultations’, *Security Council Report* (19 October 2020) www.securitycouncilreport.org/whatsinblue/2020/10/nagorno-karabakh-consultations.php; see also *Reuters* (n 388).

diplomatic means ...Any statements about some kind of support and military activity undoubtedly add fuel to the flames. We are categorically against this.’³⁹⁹

The OSCE Minsk Group Co-Chairs, Russia, France and the US released a joint statement in which they:

... condemn[ed] in the strongest terms the recent escalation of violence along the Line of Contact in the Nagorno-Karabakh conflict zone.

We deplore the loss of human lives and extend our condolences to the families of those killed and injured.

We call for an immediate cessation of hostilities between the relevant military forces.

We also call on the leaders of Armenia and Azerbaijan to commit without delay to resuming substantive negotiations, in good faith and without preconditions, under the auspices of the OSCE Minsk Group Co-Chairs.⁴⁰⁰

French President Macron reportedly gave weight to allegations that fighters from within Syria had been transported to the conflict between Armenia and Azerbaijan, telling reporters that ‘a red line has been crossed’, and calling for an explanation from Turkey.⁴⁰¹ Syria’s President Assad levelled the same allegations against Turkey, although offered no evidence.⁴⁰² Russia similarly expressed concern over ‘Fighters of illegal armed groups including from Syria and Libya are being deployed to the Nagorno Karabakh conflict zone in order to directly take part in fighting’, and made a veiled call to the ‘leadership of interested states’ to prevent ‘foreign terrorists and mercenaries’ from joining the conflict.⁴⁰³

³⁹⁹ ‘Nagorno-Karabakh: Russia urges Turkey to back ceasefire effort’, *Al-Jazeera* (29 September 2020) www.aljazeera.com/news/2020/9/29/nagorno-karabakh-russia-urges-turkey-to-back-ceasefire-effort.

⁴⁰⁰ Presidents of Russia, France, and the US, ‘Statement of the presidents of Russia, the United States and France on Nagorno-Karabakh’, (1 October 2020) <http://en.kremlin.ru/events/president/news/64133>.

⁴⁰¹ ‘Macron reprimands Turkey, accuses Erdogan of sending ‘jihadists’ to Azerbaijan’, *France 24* (2 October 2020) www.france24.com/en/20201002-macron-reprimands-turkey-accusing-erdogan-of-sending-jihadists-to-azerbaijan.

⁴⁰² Nvard Hovhannisyan and Nailia Bagirova, ‘Russia warns that Nagorno-Karabakh could become Islamist militant stronghold’, *Reuters* (6 October 2020) www.reuters.com/article/us-armenia-azerbaijan/assad-blames-turkey-for-nagorno-karabakh-fighting-as-battles-rage-on-idUSKBN26R0T2.

⁴⁰³ ‘Russia Says Syria, Libya Fighters Deployed to Karabakh Conflict’, *The Moscow Times* (1 October 2020) www.themoscowtimes.com/2020/09/30/russia-says-syria-libya-fighters-deployed-to-karabakh-conflict-a71610.

Turkey responded to these allegations, which were repeated by the Armenian President at the UN General Assembly, in a letter to the UN Secretary-General.⁴⁰⁴ Turkey accused Armenia of ‘propaganda and defamation against Turkey’ and stated:

The international community should make no mistake that the current outbreak of hostilities is the direct consequence of Armenia’s consistent provocations on the ground. Armenia’s complete disregard of international law and blatant violation of Security Council resolutions in particular have brought the region where it is today. It should also not be forgotten, despite Armenia’s attempts to that end, that Azerbaijan has been exercising its inherent right of self-defence, since the hostilities are taking place exclusively on its own sovereign territory.⁴⁰⁵

Turkey also turned the accusations of importing foreign fighters into the conflict onto Armenia, stating:

Armenia’s use of foreign terrorist fighters and mercenaries from a number of countries is also well documented. Yerevan is receiving support from some terrorist groups, primarily the People’s Protection Units/Kurdistan Workers’ Party (YPG/PKK), which has long-standing ties with other terrorist groups, such as the Armenian Secret Army for the Liberation of Armenia (ASALA).⁴⁰⁶

Some other states also overtly supported Azerbaijan’s right of self-defence. For example, while also expressing concern and the need to reduce tensions, Pakistan said it ‘stands with the brotherly nation of Azerbaijan and supports its right of self-defence.’⁴⁰⁷

The 9th November Peace Deal and subsequent developments

⁴⁰⁴ Turkey, Letter dated 16 October 2020 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, UN Doc A/75/525–S/2020/1024 (19 October 2020).

⁴⁰⁵ *Ibid.*, 1-2.

⁴⁰⁶ *Ibid.*; for Armenia’s reaction to this, see, Letter dated 9 December 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/637–S/2020/1187 (10 December 2020).

⁴⁰⁷ Pakistan, Ministry of Foreign Affairs, ‘Renewed tension in Nagorno-Karabakh’, (27 September 2020) <http://mofa.gov.pk/renewed-tension-in-nagorno-karabakh/>.

There were some humanitarian ceasefires during the conflict,⁴⁰⁸ but these did not last when both states accused each other of breaching them.⁴⁰⁹ A lasting cessation of hostilities only came after a peace deal was agreed on 9 November between Armenia, Azerbaijan, and Russia.⁴¹⁰

The ceasefire agreement provided for a cessation of hostilities on 10 November 2020, where all parties would stop in their current positions pending a phased withdrawal.⁴¹¹ The withdrawal included the return of territory to Azerbaijan that had been under Armenia's control, starting with the Agdam District by 20 November, followed by the Kalbajar District to the by 15 November, and the Lachin District by 1 December 2020.⁴¹² As part of the agreement, Russia would deploy 'peacemaking forces' along the Nagorno-Karabakh Line of Contact and along the Lachin Corridor (connecting the region to Armenia) – this included 1,960 armed troops.⁴¹³ These peace-making forces were to be deployed as Armenian troops withdrew from the relevant territory, on an automatically renewable 5-year term. Any party could stop the renewal of the peace-making troops mandate with at least 6 months notice before the end of each term.⁴¹⁴ The agreement also provided for the right of return for refugees, and the resumption of trade and transport links.⁴¹⁵ Days after the truce was signed, Turkey's President Erdogan suggested that Turkey would establish a joint 'peacekeeping centre' with Russia to monitor the implementation of the ceasefire agreement.⁴¹⁶

⁴⁰⁸ See, for example, Russia, Letter dated 10 October 2020 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General, UN Doc S/2020/996 (12 October 2020); 'Nagorno-Karabakh: Armenia and Azerbaijan agree to ceasefire', *The Guardian* (10 October 2020) www.theguardian.com/world/2020/oct/10/nagorno-karabakh-armenia-and-azerbaijan-agree-to-ceasefire.

⁴⁰⁹ See, for example, 'Armenia, Azerbaijan accuse each other of violating ceasefire', *Al-Jazeera* (10 October 2020) www.aljazeera.com/news/2020/10/10/armenia-azerbaijan-agree-ceasefire-from-midnight-lavrov; 'Heavy Shelling and Civilian Casualties Dash Hopes for Karabakh Ceasefire', *The Defense Post* (12 October 2020) www.thedefensepost.com/2020/10/12/shelling-casualties-karabakh-ceasefire/; 'New Fighting Over Karabakh Despite Ceasefire', *The Defense Post* (19 October 2020) www.thedefensepost.com/2020/10/19/new-fighting-karabakh/; Armenia, Letter dated 10 October 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/507–S/2020/997 (12 October 2020); Letter dated 11 October 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/508–S/2020/1001 (13 October 2020); Armenia, Letter dated 18 October 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/523–S/2020/1026 (20 October 2020); Azerbaijan, Letter dated 27 October 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/555–S/2020/1047 (29 October 2020).

⁴¹⁰ Letter dated 10 November 2020 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council, UN Doc S/2020/1104 (11 November 2020), Annex.

⁴¹¹ *Ibid.*, para [1].

⁴¹² *Ibid.*, para [2], [6].

⁴¹³ *Ibid.*, para [3].

⁴¹⁴ *Ibid.*, para [4].

⁴¹⁵ *Ibid.*, para [7]-[9].

⁴¹⁶ 'Turkey to Send Soldiers for Karabakh "Peacekeeping Center"', *The Defense Post* (16 November 2020) www.thedefensepost.com/2020/11/16/turkey-karabakh-peacekeeping/.

The agreement seemed to hold largely throughout the rest of 2020, with Armenia withdrawing troops as per the deal and returning territory to Azerbaijan.⁴¹⁷ But Armenia did accuse Azerbaijan of breaching the agreement by allegedly launching ‘an attack on the Artsakh-Azerbaijani line of contact in the area of Hin Tagher and Khatsaberd villages of the Hadrut region of Artsakh, taking advantage of the fact that peacekeeping forces were not deployed in that area of the Republic of Artsakh.’⁴¹⁸

Armenia and Azerbaijan both wrote reports to the UN Secretary-General regarding the use of ‘foreign terrorist fighters’ during the conflict, with both sides providing evidence they argue proves the other side utilised such fighters during their hostilities.⁴¹⁹ UN Human Rights experts also called for ‘mercenaries’ to be withdrawn from the area.⁴²⁰

On 30 November 2020, Armenia forwarded a communication from the ‘Minister of Foreign Affairs of the Republic of Artsakh’ (Nagorno-Karabakh Republic), arguing that the independence of Artsakh is ‘the most optimal and effective way out of the situation resulting from the armed aggression against our republic by Azerbaijan with the support of Turkey and Turkish-backed international terrorists.’⁴²¹

India-China: Further border clashes

The previous Digest reported a violent clash between India and China in June 2020.⁴²² In July, two Special Representatives from both states discussed the escalation. According to India’s Ministry of External Affairs:

The two Special Representatives agreed that both sides should take guidance from the consensus of the leaders that maintenance of peace and tranquillity in the India-China border areas was essential for the further development of our bilateral relations and that

⁴¹⁷ See, for example, ‘Azerbaijani Forces Raise Flag in Last District Handed Back by Armenia’, *The Defense Post* (1 December 2020) www.thedefensepost.com/2020/12/01/azerbaijani-last-district-armenia/.

⁴¹⁸ Azerbaijan, Letter dated 14 December 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/652–S/2020/1206 (16 December 2020).

⁴¹⁹ Azerbaijan, Letter dated 18 November 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN Doc A/75/625–S/2020/1161 (4 December 2020), Annex; Armenia, Letter dated 10 December 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/644–S/2020/1191 (14 December 2020).

⁴²⁰ UN Office of the High Commissioner for Human Rights, ‘Mercenaries in and around the Nagorno-Karabakh conflict zone must be withdrawn – UN experts’, (11 November 2020) www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26494&LangID=E.

⁴²¹ Armenia, Letter dated 30 November 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, UN Doc A/75/617–S/2020/1149 (1 December 2020).

⁴²² Previous Digest (n 81) at 398-9.

two sides should not allow differences to become disputes. Therefore, they agreed that it was necessary to ensure at the earliest complete disengagement of the troops along the LAC [Line of Actual Control] and de-escalation from India-China border areas for full restoration of peace and tranquillity. In this regard they further agreed that both sides should complete the ongoing disengagement process along the LAC expeditiously. The two sides should also ensure a phased and stepwise de-escalation in the India-China border areas. They re-affirmed that both sides should strictly respect and observe the line of actual control and should not take any unilateral action to alter the status quo and work together to avoid any incident in the future that could disturb peace and tranquillity in border areas.⁴²³

India and China agreed to continue frequent dialogue and discussions under an agreed framework (the Working Mechanism for Consultation and Coordination on India-China border affairs (WMCC)).⁴²⁴ However, further clashes occurred on 29, 30 and 31 August.⁴²⁵ In this instance, India accused China of violating their understanding that neither side would take provocative or unilateral action to change the status quo in the region. India said that on the night of 29-30 August the Indian Army responded to 'provocative actions' by China and 'took appropriate defensive measures ... to safeguard our interests and defend the territorial integrity.'⁴²⁶ India further accused Chinese troops of repeating the provocation on 31 August 'even as the ground commanders of the two sides were in discussions to de-escalate the situation.'⁴²⁷ By taking what it called 'timely defensive action', India said it was able to prevent China's 'attempts to unilaterally alter the status quo'.⁴²⁸ Condemning China, India said China's actions were 'in clear violation of the bilateral agreements and protocols concluded between the two countries to ensure peace and tranquillity on the border.'⁴²⁹

⁴²³ India, Ministry of External Affairs, 'Conversation between Special Representatives of India and China on recent developments on the India-China border areas', (6 July 2020) <https://www.mea.gov.in/press-releases.htm?dtl/32811/conversation-between-special-representatives-of-india-and-china-on-recent-developments-on-the-indiachina-border-areas>.

⁴²⁴ *Ibid.*

⁴²⁵ Devjyot Ghoshal, 'India accuses China of fresh 'provocative actions' at Ladakh border', *Reuters* (1 September 2020) www.reuters.com/article/india-china/india-accuses-china-of-fresh-provocative-actions-at-ladakh-border-idINKBN25S54G.

⁴²⁶ India, Ministry of External Affairs, 'Official Spokesperson's response to a media query on the recent developments in the India-China Border Areas', (1 September 2020) www.mea.gov.in/response-to-queries.htm?dtl/32919/official-spokespersons-response-to-a-media-query-on-the-recent-developments-in-the-indiachina-border-areas.

⁴²⁷ *Ibid.*

⁴²⁸ *Ibid.*

⁴²⁹ *Ibid.*

On the other hand, China accused India of violating their consensus, alleging that ‘Indian troops again illegally crossed the LAC’ and that India’s ‘flagrant provocations’ led to tensions.⁴³⁰ Responding to Indian official statements that purportedly said that Indian troops ‘pre-empted’ hostilities, China argued that this ‘accidentally gives away the hidden truth in an explanation, India’s statements reveal the fact that the Indian troops were the first to have illegally crossed the LAC, made provocations, changed the status quo in the border areas, and violated bilateral agreements and important consensus.’⁴³¹ China also expressed its hope that India would work with China to uphold ‘peace and tranquillity in the border areas.’⁴³²

The two states’ Foreign Ministers later met and agreed ‘that the border troops of both sides should continue their dialogue, quickly disengage, maintain proper distance and ease tensions.’⁴³³ Both states continued to hold joint meetings with senior commanders to avoid future clashes, with agreements to: ‘strengthen communication on the ground, avoid misunderstandings and misjudgements, stop sending more troops to the frontline, refrain from unilaterally changing the situation on the ground, and avoid taking any actions that may complicate the situation.’⁴³⁴

India-Pakistan: Border clashes and rhetoric continue, and tensions rise over Kashmir

India and Pakistan once again traded accusations and denials of accusations of either border skirmishes or more significant military clashes.⁴³⁵ Pakistan summoned the Indian ambassador

⁴³⁰ China, Foreign Ministry, ‘Foreign Ministry Spokesperson Hua Chunying’s Regular Press Conference on September 1, 2020’, (1 September 2020) www.chinese-embassy.org.uk/eng/HotTopics/fyrth/t1811140.htm.

⁴³¹ China, Foreign Ministry, ‘Foreign Ministry Spokesperson Hua Chunying’s Regular Press Conference on September 2, 2020’, (2 September 2020) www.chinese-embassy.org.uk/eng/HotTopics/fyrth/t1811545.htm.

⁴³² *Ibid.*

⁴³³ India, Ministry of External Affairs, ‘Joint Press Statement - Meeting of External Affairs Minister and the Foreign Minister of China’, (10 September 2020) www.mea.gov.in/press-releases.htm?dtl/32962/joint+press+statement++meeting+of+external+affairs+minister+and+the+foreign+minister+of+china+september+10+2020.

⁴³⁴ See, for example: India, Ministry of External Affairs, ‘Joint Press Release of the 6th round of Senior Commanders’ Meeting between India and China’, (22 September 2020) www.mea.gov.in/press-releases.htm?dtl/33047/joint+press+release+of+the+6th+round+of+senior+commanders+meeting+between+india+and+china.

⁴³⁵ See, for example, UNGA Verbatim Record, UN Doc A/C.3/75/SR.5 (7 October 2020), [137] (India); Pakistan, Ministry of Foreign Affairs, ‘Rejection of Indian Prime Minister’s remarks insinuating Pakistan’s involvement in Pulwama attack’ (31 October 2020) www.mofa.gov.pk/rejection-of-indian-prime-ministers-remarks-insinuating-pakistans-involvement-in-pulwama-attack/.

on several occasions in July,⁴³⁶ August,⁴³⁷ September,⁴³⁸ October,⁴³⁹ November⁴⁴⁰ and December⁴⁴¹ to express its dissatisfaction with alleged violations by India of the Line of Control between their territories.

Pakistan wrote to the UN Security Council in a letter dated 3 August 2020 to report that the situation in ‘Indian-occupied Jammu and Kashmir has ... continued to deteriorate owing to the repressive actions being taken by the Indian occupation forces’.⁴⁴² Pakistan argued that India was escalating its ‘belligerent rhetoric’ against Pakistan to create a smokescreen for its own activity, including violations of the Line of Control between the two territories and to ‘divert attention from its State terrorism’.⁴⁴³ Pakistan warned that it would ‘defend itself resolutely

⁴³⁶See, for example, Pakistan, Ministry of Foreign Affairs, ‘Senior Indian diplomat summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (6 July 2020) www.mofa.gov.pk/senior-indian-diplomat-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-10/; Pakistan, Ministry of Foreign Affairs, ‘Senior Indian diplomat summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (13 July 2020) www.mofa.gov.pk/senior-indian-diplomat-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-11/.

⁴³⁷See, for example, Pakistan, Ministry of Foreign Affairs, ‘Indian Charge d’Affaires summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (5 August 2020) www.mofa.gov.pk/indian-charge-daffaires-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-7/; Pakistan, Ministry of Foreign Affairs, ‘Senior Indian diplomat summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (13 August 2020) www.mofa.gov.pk/senior-indian-diplomat-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-15/.

⁴³⁸See, for example, Pakistan, Ministry of Foreign Affairs, ‘Senior Indian diplomat summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (6 September 2020) www.mofa.gov.pk/senior-indian-diplomat-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-18/; Pakistan, Ministry of Foreign Affairs, ‘Senior Indian diplomat summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (18 September 2020) www.mofa.gov.pk/senior-indian-diplomat-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-21/.

⁴³⁹See, for example, Pakistan, Ministry of Foreign Affairs, ‘Senior Indian diplomat summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (1 October 2020) www.mofa.gov.pk/senior-indian-diplomat-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-23/; Pakistan, Ministry of Foreign Affairs, ‘Senior Indian diplomat summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (15 October 2020) www.mofa.gov.pk/senior-indian-diplomat-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-24/.

⁴⁴⁰See, for example, Pakistan, Ministry of Foreign Affairs, ‘Indian Chargé d’Affaires summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (13 November 2020) www.mofa.gov.pk/indian-charge-daffaires-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-10/; Pakistan, Ministry of Foreign Affairs, ‘Senior Indian Diplomat summoned to register Pakistan’s strong protest over Ceasefire Violations by India’ (23 November 2020) www.mofa.gov.pk/senior-indian-diplomat-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-29/; Pakistan, Ministry of Foreign Affairs, ‘Indian Chargé d’Affaires summoned to Register Pakistan’s Strong Protest Over Ceasefire Violations by India’ (26 November 2020) www.mofa.gov.pk/indian-charge-daffaires-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-11/.

⁴⁴¹See, for example, Pakistan, Ministry of Foreign Affairs, ‘Senior Indian Diplomat was Summoned to Register Pakistan’s Strong Protest Over Ceasefire Violations by India’ (14 December 2020) www.mofa.gov.pk/senior-indian-diplomat-was-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india/; Pakistan, Ministry of Foreign Affairs, ‘Senior Indian Diplomat Summoned to Register Pakistan’s Strong Protest Over Ceasefire Violations by India’ (20 December 2020) www.mofa.gov.pk/senior-indian-diplomat-summoned-to-register-pakistans-strong-protest-over-ceasefire-violations-by-india-30/.

⁴⁴²Pakistan, Letter dated 3 August 2020 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council, UN Doc S/2020/771 (3 August 2020), 2.

⁴⁴³*Ibid.*, 3.

against any act of aggression’ by India.⁴⁴⁴ Pakistan reminded the UN Security Council that it had primary responsibility for the maintenance of international peace and security and that these ‘responsibilities must be effectively fulfilled’.⁴⁴⁵

In a further letter to the UN Security Council in August 2020, Pakistan provided its legal review of the Jammu and Kashmir dispute.⁴⁴⁶ The letter warned why the Kashmir dispute could not be left unattended:

...there is an ever-present threat to international peace and security, due to a possible escalation of ceasefire violations along the Line of Control (LoC) into a full-fledged conflict or as a consequence of an Indian “false flag” operation. India’s baseless allegations of “infiltration” across LoC are an attempt to create a casus-belli for another aggression against Pakistan.⁴⁴⁷

The legal review explained that ‘the failure of timely intervention – as in Bosnia and Rwanda – can lead to devastating humanitarian consequences’ and urged the Council to act in order to prevent a similar genocide of the Kashmiri people.⁴⁴⁸

In September 2020, Pakistan informed the UN Security Council that India had ‘intensified its belligerent rhetoric against Pakistan, including threats of military aggression’ and argued that this was being done so that India could justify renewed aggression against Pakistan.⁴⁴⁹ Although Pakistan claimed that it did not desire conflict with India, Pakistan issued the following warning:

Pakistan has exercised maximum restraint, but we will defend ourselves resolutely against any act of Indian aggression.⁴⁵⁰

In another letter to the UN Security Council in November 2020, Pakistan, once again, complained of alleged violations of the Line of Control between Indian and Pakistani territories

⁴⁴⁴*Ibid.*

⁴⁴⁵*Ibid*, 4.

⁴⁴⁶Pakistan, Letter dated 3 August 2020 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council, UN Doc S/2020/772 (11 August 2020).

⁴⁴⁷*Ibid*, [52].

⁴⁴⁸*Ibid*, [56].

⁴⁴⁹Pakistan, Letter dated 23 September 2020 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council, UN Doc S/2020/939 (23 September 2020), 2.

⁴⁵⁰*Ibid*.

and accused India of State-sponsored terrorism against the Kashmiri people and against its neighbours.⁴⁵¹

In December 2020, Pakistan informed the UN Security Council of an alleged deliberately targeted attack by India against a vehicle of the UN Military Observer Group in India and Pakistan (UNMOGIP), which Pakistan described as ‘another Indian military adventure against Pakistan’.⁴⁵² The letter issued the following warning against India:

If this were to happen, Pakistan will exercise its right to self-defence, under Article 51 of the Charter of the United Nations, with the full force of its capabilities.

India has also intensified its warlike rhetoric and actions against Pakistan, following its misadventure of 26 February 2019, to which Pakistan was obliged to respond effectively in self-defence.⁴⁵³

During a meeting at the UN General Assembly on 25 September 2020, India maintained that the territory of Jammu and Kashmir was ‘an integral and inalienable part of India’ and that the only dispute remaining was that related to the part of Kashmir that was still ‘illegally occupied by Pakistan’.⁴⁵⁴ At the same meeting, India accused Pakistan of providing ‘financial support to terrorist organizations and mercenaries, which are a threat to global peace and security.’⁴⁵⁵ Pakistan responded by claiming that Jammu and Kashmir was not a part of India and that India was ‘the mothership of terrorism, which holds a patent on State sponsorship of terror’:

India is actively involved in orchestrating, financing and providing logistical support to terrorist organizations, like Tehreek-e-Taliban Pakistan and Jamaat-ul-Ahrar to target Pakistan from across our borders...

It has hired and organized criminal groups located across our Western border to conduct terrorist attacks in Pakistan, especially to disrupt the development of the western and southern regions of my country. Commander Kulbhushan Yadav, an Indian intelligence

⁴⁵¹Pakistan, Letter dated 20 November 2020 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council, UN Doc S/2020/1127 (20 November 2020), 3.

⁴⁵²Pakistan, Letter dated 19 December 2020 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council, UN Doc S/2020/1264 (21 December 2020).

⁴⁵³*Ibid.*

⁴⁵⁴UNGA Verbatim Record, UN Doc A/75/PV.11 (25 September 2020), 5.

⁴⁵⁵*Ibid.*

agent, captured by Pakistan, has confessed that he was organizing and supporting those criminal groups to perpetrate terrorism in Pakistan⁴⁵⁶

At another UN General Assembly meeting convened on the same day, Pakistan warned that, ‘any attempt by the fascist totalitarian RSS-led Indian government to aggress against Pakistan will be met by a nation that will fight for its freedom to the end.’⁴⁵⁷

At further UN General Assembly meetings held in October, India repeated its accusations that the territory of Jammu and Kashmir was a part of Indian territory and that Pakistan was providing financial support for terrorist organizations and mercenaries.⁴⁵⁸

South China Sea: Continued tensions

As covered in recent previous Digests, the South China Sea has played host to tense standoffs over disputed territory and China’s artificial islands. During the current reporting period, those tensions persisted. In particular, in September reports suggested that China warned that ‘the United States is becoming the biggest driver of militarisation of the South China Sea’ and ‘the most dangerous factor damaging peace’ there.⁴⁵⁹ These comments followed a ‘freedom of navigation operation’ by the US Navy which sailed close to the Paracel Islands that the Navy said was ‘to ensure critical shipping lanes in the area remain free and open.’⁴⁶⁰

In November, Japan and Australia signed a Reciprocal Access Agreement, allowing each state’s military to visit the other to conduct training and military drills.⁴⁶¹ At a news conference, Japanese Prime Minister, Yoshihide Suga, and Australia’s Scott Morrison said in a statement that they had ‘serious concerns about the situation in the South China Sea and reconfirmed their strong opposition to any coercive or unilateral attempts to change the status

⁴⁵⁶*Ibid*, 8.

⁴⁵⁷UNGA Verbatim Record, UN Doc A/75/PV.10 (25 September 2020), [66].

⁴⁵⁸UNGA Verbatim Record, UN Doc A/C.6/75/SR.2 (7 October 2020), [101]; UNGA Verbatim Record, UN Doc A/C.3/75/SR.5 (7 October 2020), [135].

⁴⁵⁹ ‘China Says US Biggest Threat to Peace in South China Sea’, *The Defense Post* (10 September 2020) www.thedefensepost.com/2020/09/10/china-us-threat-peace-south-china-sea/.

⁴⁶⁰ ‘US Warship Sails Near Disputed Islands in Tense South China Sea’, *The Defense Post* (28 August 2020) www.thedefensepost.com/2020/08/28/us-warship-south-china-sea/; see also, subsequently, US Navy, Commander US 7th Fleet, ‘USS John S. McCain conducts Freedom of Navigation Operation in South China Sea’, (22 December 2020) www.c7f.navy.mil/Media/News/Display/Article/2454431/uss-john-s-mccain-conducts-freedom-of-navigation-operation-in-south-china-sea/.

⁴⁶¹ Kiyoshi Takenaka and Ju-min Park, ‘Japan, Australia reach security pact amid fears over disputed South China Sea’, *Reuters* (17 November 2020) www.reuters.com/article/us-japan-australia/japan-australia-reach-security-pact-amid-fears-over-disputed-south-china-sea-idUSKBN27X131.

quo and thereby increase tensions in the region.⁴⁶² The statement also shared concerns about ‘the recent negative developments and serious incidents in the South China Sea, including continuing militarisation of disputed features, dangerous and coercive use of coast guard vessels and “maritime militia”, launches of ballistic missiles, and efforts to disrupt other countries’ resource exploitation activities.’⁴⁶³

A Report published in December by the US Department of Defence reviewing the US’s Naval policy made accusations against China including that:

China deploys a multi-layered fleet ... to subvert other nations’ sovereignty and enforce unlawful claims. It continues to militarize disputed features in the South China Sea and assert maritime claims inconsistent with international law. Its state-subsidized distant-water fishing fleet steals vital resources from nations unable to defend their own exclusive economic zones. To support its multi-layered fleet, China is also developing the world’s largest missile force, with nuclear capabilities, which is designed to strike U.S. and allied forces in Guam and in the Far East with everything from ballistic missiles to maneuverable cruise and hypersonic missiles. Further, China has centralized its robust strategic, space, cyber, electronic, and psychological warfare capabilities.⁴⁶⁴

5. Americas

Venezuela: Accusations against the United Kingdom of regime change, threats and blockades

In a letter dated 8 June 2020, Venezuela wrote to the UN Security Council referring back to an ‘armed incursion of mercenaries and terrorists’ against Venezuela that occurred in early May 2020.⁴⁶⁵ Venezuela made reference to a British media source, explaining that the source had obtained documents under the Freedom of Information Act, exposing:

⁴⁶² Japan and Australia, Prime Minister of Australia’s Office, ‘Japan-Australia Leaders’ Meeting Joint Statement’, (17 November 2020) www.pm.gov.au/media/japan-australia-leaders-meeting-joint-statement.

⁴⁶³ *Ibid.*

⁴⁶⁴ US Department of Defense, ‘Advantage as Sea: Prevailing with Integrated All-Domain Naval Power’, (December 2020) <https://media.defense.gov/2020/Dec/16/2002553074/-1/-1/0/TRISERVICESTRATEGY.PDF>, 3.

⁴⁶⁵ Venezuela, Letter dated 8 June 2020 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the President of the Security Council, UN Doc S/2020/520 (9 June 2020).

private discussions between Venezuelan opposition figures and United Kingdom officials, detailing proposals for the promotion of British business after a planned coup.⁴⁶⁶

This exposure, Venezuela argued,

... is a clear and factual demonstration, rather than a claim, not only of the fact that the British Government was aware of the armed incursion of mercenaries and terrorists against our national territory in early May 2020, within the framework of the so-called “Operation Gideon”, but that it was actively engaged in it, in order to secure preferred status for British businesses in my country after the act of aggression against Venezuela was successfully carried out.⁴⁶⁷

Venezuela continued with a second accusation against the British government, namely that of regime change:

Needless to say, this is yet another example of the hostile attitude towards Venezuela of the British Government, which insists on pursuing “regime change” policies against the legitimate, constitutional and democratically elected Government of President Nicolás Maduro, in violation of the very tenets of the Charter of the United Nations and the norms of international law, including the principles of non-interference in the internal affairs of States, of sovereign equality of States and of the inalienable right of peoples to self-determination.⁴⁶⁸

A third accusation made by Venezuela was that the British government had made ‘threats of the use of force’ and ‘there are ongoing attempts to illegally impose a naval blockade against our nation’. Venezuela warned that this,

... should it materialize, would constitute an act of war under international law, particularly if not authorized by the Security Council, on the basis of Article 41 of the Charter of the United Nations, or applied pursuant to the inherent right of self-defence.⁴⁶⁹

⁴⁶⁶*Ibid*; for the British Media source Venezuela referred to, see John McEvoy, ‘Revealed: Secretive British unit planning for ‘reconstruction’ of Venezuela’, *the Canary* (13 May 2020) www.thecanary.co/exclusive/2020/05/13/revealed-secretive-british-unit-planning-for-reconstruction-of-venezuela/.

⁴⁶⁷Venezuela, Letter dated 8 June 2020 (n 465).

⁴⁶⁸*Ibid*, 2.

⁴⁶⁹*Ibid*.

Although the United Kingdom did respond to the alleged early May incursion after it happened to refute allegations of its involvement,⁴⁷⁰ the editors were not aware of any official response from the United Kingdom to Venezuela's letter dated 8 June 2020 at the time of writing.

Venezuela: Accusations of external interference and intervention by the United States and Colombia

In a pre-recorded video statement to the UN General Assembly on 23 September 2020, the President of Venezuela, Nicolás Maduro Moros, said,

Venezuela, as you know, is under constant attack. Our beloved Homeland is the victim of a multiform attack by the U.S. Empire ... we have even been threatened with direct military aggressions.⁴⁷¹

President Maduro referred back to the incident of May 2020, concerning the alleged entry of mercenaries and terrorists into Venezuelan territory, reiterating the accusation against the United States and Colombia:

On 3 May, Venezuela faced an attempted maritime incursion by a group of mercenaries and terrorists, financed by the government of the United States and trained on Colombian territory, with the total and absolute support of the U.S. and Colombian governments. This group of terrorists was confronted in real time by the civic-military police union, and the perpetrators of this attack, of this armed incursion against Venezuela, were neutralized and captured, and are under the orders of the judicial institutions for due process.

...

The United States — we must say this — in the course history, has become the most serious threat to peace in this world.⁴⁷²

⁴⁷⁰United Kingdom, Letter dated 29 May 2020 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council, UN Doc S/2020/464 (29 May 2020).

⁴⁷¹UNGA Verbatim Record, UN Doc A/75/PV.7 (23 September 2020), 52.

⁴⁷²*Ibid*, 54; for Venezuela's letter informing the UN Security Council of the 3 May 2020 alleged incursion, see Venezuela, Identical letters dated 13 May 2020 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General and the President of the Security Council, UN Doc A/74/861-S/2020/399 (22 May 2020).

During the meeting of the Sixth Committee of the General Assembly held on 8 October 2020, Venezuela repeated its claim that the United States was ‘the main threat to peace and security’ and condemned Colombia ‘for providing support to the United States and allowing it to use Colombian territory to organize, train and protect terrorists and mercenaries who were attempting to spread chaos and violence in the Bolivarian Republic of Venezuela’.⁴⁷³ Venezuela reiterated that the ‘use of terrorism or violence to promote the overthrow of legitimate Governments was unacceptable’.⁴⁷⁴

The United States⁴⁷⁵ and Colombia⁴⁷⁶ did respond to the 3 May 2020 incident happened after it happened to refute allegations of its involvement. However, at the time of writing, the editors were not aware of any official response from the United States or Colombia against the accusations repeated by Venezuela in September and October 2020.

Venezuela: Alleged violations of Venezuela’s territorial waters by the United States

On 15 July 2020, the United States announced that its missile destroyer, *USS Pinckney*, had performed a freedom of navigation operation off the coast of Venezuela and said that the ‘illegitimate Maduro regime improperly claims excessive controls over those international waters’.⁴⁷⁷ Similarly, on 30 September 2020 the United States announced that it had performed another freedom of navigation operation, which ‘challenged Venezuela’s excessive maritime claims in international waters’.⁴⁷⁸

Venezuela wrote to the UN Security Council, in a letter dated 2 October 2020, requesting the denunciation of alleged violations of Venezuela’s territorial waters by United

⁴⁷³UNGA Verbatim Record, UN Doc A/c.6/75/SR.3 (23 November 2020) 2; see also Venezuela, Ministry of Foreign Affairs, ‘Venezuela denounces Colombia and the US for being a threat to peace and national security’ (8 October 2020) www.mppre.gob.ve/2020/10/08/venezuela-denuncia-colombia-eeuu-amenaza-paz-seguridad/.

⁴⁷⁴*Ibid.*

⁴⁷⁵Letter dated 22 May 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council, UN Doc S/2020/435 (27 May 2020) 21.

⁴⁷⁶*Ibid.*, 26.

⁴⁷⁷United States Southern Command, ‘USS Pinckney freedom-of-navigation operation challenges Venezuela’s excessive maritime claim Release No: 20-012’ (15 July 2020) www.southcom.mil/News/PressReleases/Article/2275086/uss-pinckney-freedom-of-navigation-operation-challenges-venezuelas-excessive-ma/.

⁴⁷⁸United States Southern Command, ‘USS William P. Lawrence Freedom-Of-Navigation Operation Challenges Venezuela’s Excessive Maritime Claim Release No: 20-016’ (30 September 2020) www.southcom.mil/News/PressReleases/Article/2366668/uss-william-p-lawrence-freedom-of-navigation-operation-challenges-venezuelas-ex/.

States' guided missile destroyers on 15 July 2020 and 30 September 2020.⁴⁷⁹ This was further elaborated by Venezuela, which said:

These operations take place in the context of over three years of recurrent threats of the use of military force against Venezuela by President Donald Trump and officials from his government, thus constituting an escalation in hostile acts aimed at provoking an incident of a military nature.

Venezuela accused the United States of executing a 'policy of military adventurism' against Venezuela⁴⁸⁰ and argued that:

The real objective is the threat of use of force, the provocation of a military incident, and the coordination of a plan of aggression against our country.⁴⁸¹

Venezuela requested that the UN Security Council:

... using the powers conferred by the Charter of the United Nations for determining the existence of any threat to international peace and security, establish the nature of the military operations of the government of the United States of America in the contiguous zone of Venezuela's territorial sea, under the false pretext of a non-existent territorial claim, using non-proportional belligerent equipment, for the purpose of the announced operations, and within the framework of an escalation of the threats of use of force against our country.⁴⁸²

On the same day that Venezuela sent the above letter to the UN Security Council, it sent a similar letter to the UN General Assembly making the following request:

...we respectfully request that you use your good offices to prevent the United States Administration's present military escalation, and to call for an immediate end to the threat of use of force against Venezuela.⁴⁸³

⁴⁷⁹Venezuela, Letter dated 2 October 2020 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the President of the Security Council, UN Doc S/2020/971 (5 October 2020).

⁴⁸⁰*Ibid*, 2.

⁴⁸¹*Ibid*, 3.

⁴⁸²*Ibid*.

⁴⁸³Venezuela, Letter dated 2 October 2020 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General, UN Doc A/75/500 (9 October 2020), 3.

