



General Assembly Security Council

Distr.: General
17 January 2020

Original: English

General Assembly
Seventy-fourth session
Agenda items 32, 37 and 75

Security Council
Seventy-fifth year

**Protracted conflicts in the GUAM area and their
implications for international peace, security
and development**

The situation in the occupied territories of Azerbaijan

Responsibility of States for internationally wrongful acts

Letter dated 15 January 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I am writing to you in connection with the letter dated 1 November 2019 from the Permanent Representative of Armenia ([A/74/531](#)), which contains as its annex the statement of the Ministry of Foreign Affairs of Armenia on the Final Document of the eighteenth Summit of Heads of State and Government of the Non-Aligned Movement, held on 25 and 26 October 2019 in Baku, Republic of Azerbaijan.

Similar to its reactions with regard to numerous documents adopted earlier by other international organizations, the Ministry of Foreign Affairs of Armenia, in its scant set of groundless and outdated claims, was able to find nothing other than to blame Azerbaijan for alleged “abuse of its membership in the Non-Aligned Movement” and to express its regret that the position of the Movement “falls short of upholding the principles at the heart of the Movement” and was adopted only because of the “manipulative intention of the host country”.

As is seen, instead of learning lessons, drawing correct conclusions and complying with international obligations, Armenia has made yet another useless attempt to deny the facts and its responsibility for continued flagrant violations of the Charter of the United Nations and international law. In this regard, I would like to point out the following.

In the Final Document of their eighteenth Summit, held on 25 and 26 October 2019 in Baku, Azerbaijan ([A/74/548](#), annex), under the section “Europe” (paras. 662 and 663), the Heads of State and Government of the Non-Aligned Movement adopted the following position on the Armenia-Azerbaijan conflict:

“662. The Heads of State and Government *expressed* their regret that in spite of the United Nations Security Council resolutions ([S/RES/822](#), [S/RES/853](#),



[S/RES/874](#), [S/RES/884](#)) the conflict between Armenia and Azerbaijan remains unresolved and continues to endanger international and regional peace and security. They *reaffirmed* the importance of the principle of non-use of force enshrined in the Charter of the United Nations, and encouraged the parties to continue to seek a negotiated settlement of the conflict within the territorial integrity, sovereignty and the internationally recognized borders of the Republic of Azerbaijan.

“663. In that connection, the Heads of State and Government also underlined the inadmissibility of the acquisition of territory by force, reaffirmed that no State shall recognize as lawful the situation resulting from the occupation of the territories of the Republic of Azerbaijan, nor render aid or assistance in maintaining that situation, including through economic activities in these territories”.

The paragraphs above are based on a thorough assessment of the factual situation, the position of the international community, a strong commitment to international law, the founding principles of the Non-Aligned Movement and the role of the Movement as an anti-war and peace-loving force.

It is well known that Armenia used military force to seize a part of the territory of Azerbaijan, namely, the Nagorno-Karabakh region, the seven adjacent districts and some exclaves, to expel the Azerbaijani population from those areas and to set up the subordinate puppet minority regime there.

In its statement, the Ministry of Foreign Affairs of Armenia deliberately passed over in silence the four resolutions of the Security Council, namely resolutions [822 \(1993\)](#), [853 \(1993\)](#), [874 \(1993\)](#) and [884 \(1993\)](#), in which the Council condemned the use of force against Azerbaijan and the occupation of its territories and reaffirmed respect for the sovereignty and territorial integrity of my country, the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory. In response to Armenia’s territorial claims and forcible actions, the Council reconfirmed that the Nagorno-Karabakh region is an integral part of Azerbaijan and demanded the immediate, complete and unconditional withdrawal of Armenian occupying forces from all the occupied territories of Azerbaijan.

The resolutions of the Security Council referred to in paragraph 662 of the Final Document of the eighteenth Summit of the Non-Aligned Movement provide authoritative clarification of the acts committed, the obligations violated and the duty to put an end to the illegal situation thus created. That the Council resolutions are binding is determined by the language used in them.

The Security Council also tasked the Organization for Security and Cooperation in Europe to ensure, in performing mediation efforts towards the settlement of the conflict, the implementation of the resolutions.¹ In their decision adopted at the 1994 Budapest Summit of the Conference on Security and Co-operation in Europe, the participating States, including Armenia and Azerbaijan, inter alia, “confirmed *their commitment to the relevant resolutions of the United Nations Security Council ...*”²

It should be further noted that, as is well known, serious breaches of obligations under peremptory norms of general international law, including in particular the violation of the prohibition of the use of armed force in international relations, give rise to certain additional consequences, among which is the duty of collective

¹ Security Council resolution [884 \(1993\)](#) of 12 November 1993, para. 8; see also statement by the President of the Security Council of 26 April 1995 ([S/PRST/1995/21](#)).

² See [A/49/800-S/1994/1435](#), annex, Budapest decisions, sect. II, “Intensification of CSCE action in relation to the Nagorno-Karabakh conflict”, para. 1, emphasis added.

non-recognition and abstention from aid or assistance that may contribute to the consolidation of the illegal situation.

Consequently, paragraph 663 of the Final Document of the eighteenth Summit of the Non-Aligned Movement derives from the above-mentioned resolutions of the Security Council and the obligations implied under international law of State responsibility. In effect, the paragraph reproduces, almost verbatim, paragraph 5 of General Assembly resolution 62/243 of 14 March 2008, entitled “The situation in the occupied territories of Azerbaijan”, in which it is stated that the Assembly:

“Reaffirms that no State shall recognize as lawful the situation resulting from the occupation of the territories of the Republic of Azerbaijan, nor render aid or assistance in maintaining this situation”.

The numerous decisions and documents adopted by other international organizations and relevant bodies in connection with the conflict, including those of which Armenia is a member, are framed along the same lines.

However, Armenia has chosen the path of confronting the unified position of the international community. Therefore, it is no coincidence that the Ministry of Foreign Affairs of Armenia omitted to mention any such decisions and documents in its statement. There is also no mention in the statement of the relevant judgments of the European Court of Human Rights, which determined Armenia’s responsibility for violations of international law in the occupied territories of Azerbaijan.

Furthermore, it is abundantly clear that Armenia’s claims in relation to Azerbaijan’s alleged “manipulative intention” as a host country of the Summit are groundless for a simple reason – the position of the Non-Aligned Movement on the Armenia-Azerbaijan conflict was adopted at its sixteenth and seventeenth Summits, held in 2012 and 2016 in Tehran, Islamic Republic of Iran, and Isla Margarita, the Bolivarian Republic of Venezuela, respectively,³ as well as at the ministerial-level conferences convened between the Summits. Having participated and engaged in deliberations at those summits and conferences as an observer, Armenia must be well informed of their outcomes.

The primary objective of the ongoing peace process is to ensure the immediate, complete and unconditional withdrawal of Armenian forces from the Nagorno-Karabakh region and all other occupied territories of Azerbaijan, the restoration of the territorial integrity of Azerbaijan within its internationally recognized borders and the return of forcibly displaced persons to their homes and properties. Armenia must drop its futile attempts to mislead the international community, engage constructively in the conflict settlement process and comply with its international obligations.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 32, 37 and 75, and of the Security Council.

(Signed) Yashar Aliyev
Ambassador
Permanent Representative

³ Final Document of the sixteenth Conference of Heads of State and Government of Non-Aligned Countries, Tehran, 26–31 August 2012, para. 391; and Final Document of the seventeenth Summit of Heads of State and Government of the Non-Aligned Movement, Isla Margarita, Bolivarian Republic of Venezuela, 17 and 18 September 2016, para. 500.