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**General Assembly
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Seventy-fourth year****Protracted conflicts in the GUAM area and their
implications for international peace, security
and development****The situation in the occupied territories
of Azerbaijan****Letter dated 4 April 2019 from the Permanent Representative of
Azerbaijan to the United Nations addressed to the
Secretary-General**

In connection with the letter dated 21 March 2019 from the Permanent Representative of Armenia ([A/73/807-S/2019/257](#)), containing in its annex the remarks by the Prime Minister of Armenia, Nikol Pashinyan, made at a meeting of his country's Security Council held in the occupied territory of the Republic of Azerbaijan on 12 March 2019, I have the honour to submit to you the comments by the Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan dated 12 and 21 March 2019 (see annexes I and II).

I should be grateful if you would have the present letter and its annexes circulated as a document of the General Assembly, under agenda items 35 and 41, and of the Security Council.

(Signed) Yashar Aliyev
Ambassador
Permanent Representative



Annex I to the letter dated 4 April 2019 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

[Original: Russian]

Comments by the Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan (12 March 2019)

If the Prime Minister of Armenia is holding an extraordinary meeting of the Armenian Security Council in the occupied Azerbaijani city of Khankendi, we need no longer make the effort to involve Armenians of the Nagorno-Karabakh region of Azerbaijan in negotiations. In articulating the idea of “the Armenians of Karabakh”, the Prime Minister has brought an end to any word games by stating that Armenians living in the Nagorno-Karabakh region of Azerbaijan are not a “people” but part of the Armenian community.

We reiterate that the format throughout the years of negotiations for the settlement of the conflict is clear, having been determined by a consensus-based decision of the Organization for Security and Cooperation in Europe (OSCE): the Helsinki Document of 1992 refers to both communities of the Nagorno-Karabakh region of Azerbaijan as interested parties.

The principles regarding the settlement of conflicts, which were clearly set out in the Helsinki Final Act of 1975 and which the Co-Chairs of the Minsk Group referred to in their most recent statement, are not open to any distorted interpretation. We wish to recall the clarification of those principles in the statement of the OSCE Chairman-in-Office during the OSCE Lisbon Summit in 1996, which was proposed by the Co-Chairs of the OSCE Minsk Group and unanimously adopted by all member States except for Armenia. The territorial integrity of Azerbaijan within its internationally recognized borders is not open to discussion.

Concrete steps to withdraw the Armenian armed forces from the occupied territory of Azerbaijan and to return to that occupied territory forcibly displaced Azerbaijanis are long overdue. As the Prime Minister of Armenia has himself said, having won the trust of his people, he has a strong mandate. Having shown political will, the time is right for him to now demonstrate to what extent he is interested in bringing peace, progress and sustainable development to the region. Obviously, no party that is interested in securing peace and harmony would occupy the territories of another State.

Annex II to the letter dated 4 April 2019 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

[Original: Russian]

Comments by the Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan (21 March 2019)

The Armenian Prime Minister's assertion that "the proposed return of Nagorno-Karabakh to the negotiating table is not about changing the negotiation format but about restoring it" needs clarification in the absence of any documents or decisions to support it.

We would point once again to the most recent statement by the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE) which unequivocally advocates keeping the format of the negotiation process unchanged. Senior European Union officials have made similar statements. The international community's declared position offers an important message to Armenia and also demonstrates support for Azerbaijan's well-founded stance on the matter. However, in the interest of clarifying the reality of the negotiation process, we wish to draw your attention to the following:

First, Security Council resolutions [822 \(1993\)](#), [853 \(1993\)](#), [874 \(1993\)](#) and [884 \(1993\)](#) unambiguously reaffirm the sovereignty, territorial integrity and inviolability of the international borders of the Republic of Azerbaijan and also call for the immediate, full and unconditional withdrawal of Armenian occupying forces from the territory of Azerbaijan. These resolutions constitute the legal basis for the settlement of the conflict.

Second, let us consider a well-known decision of the Additional Meeting of the Ministerial Council of the Conference on Security and Co-operation in Europe, held on 24 March 1992 in Helsinki, which calls on the Chairman-in-Office to convene a conference in Minsk on the peaceful settlement of the Nagorno-Karabakh conflict, adding, in that connection: "Elected and other representatives of Nagorno-Karabakh will be invited to the Conference as interested parties by the Chairman of the Conference after consultation with the States participating at the Conference". "Elected and other representatives of Nagorno-Karabakh" here refers to representatives of both the Armenian and the Azerbaijani communities of the Nagorno-Karabakh region of Azerbaijan, and these communities are specifically mentioned in the document as interested parties. We recall that the latest statement by the Co-Chairs of the OSCE Minsk Group specifically contains a reference to both communities as interested parties. With regard to the proposed conference to be convened in Minsk after the withdrawal of the Armenian armed forces from the occupied territories of Azerbaijan, the issue of inviting both communities of the Nagorno-Karabakh region of Azerbaijan as interested parties can of course be examined, provided that the appropriate agreement is reached.

Third, allow me to provide the exact quotation from a decision of the 1994 Budapest Summit of the Conference on Security and Co-operation in Europe: "Deploring the continuation of the conflict and the human tragedy involved, the participating States welcomed the confirmation by the parties to the conflict of the cease-fire agreed on 12 May 1994 through the mediation of the Russian Federation in cooperation with the Conference on Security and Co-operation in Europe (CSCE) Minsk Group. They confirmed their commitment to the relevant resolutions of the

United Nations Security Council and welcomed the political support given by the Security Council to the CSCE's efforts towards a peaceful settlement of the conflict.”

The 12 May 1994 ceasefire agreement referred to in the Budapest Summit decision was adopted by Azerbaijan and Armenia as participants in the conflict, in accordance with the aforementioned decision of the 24 March 1992 Ministerial Council of the Conference on Security and Co-operation in Europe, held in Helsinki, and by representatives of the Azerbaijani and Armenian communities of the Nagorno-Karabakh region of Azerbaijan as “interested parties” in the settlement of the conflict. The decision thus contains no reference whatsoever to Nagorno-Karabakh as a separate party. Moreover, support is expressed for the relevant Security Council resolutions. We should also recall that, in accordance with the ceasefire agreement, a timetable was established for the withdrawal of Armenian forces from the occupied territories of Azerbaijan and attached as a special addendum to the agreement. According to this timetable, the withdrawal of the Armenian occupying forces from the territories of Azerbaijan should already have been secured.

We should recall that as far back as 1992, at a time when Armenia was making unsubstantiated claims that were seriously impeding the peace process, the Chairman of the Minsk Group made a statement on the equality of the Azerbaijani and Armenian communities of Nagorno-Karabakh: “During consultations, the Chairman from Italy did not identify consensus among the other States of the Minsk Group regarding the argument by Armenia that it was authorized under the mandate of 24 March 1992 to give formal priority to the Armenian side of Nagorno-Karabakh over the Azerbaijani side, or even to call the Armenian side “elected representatives” (CSCE Information Letter No. 279, Prague, 15 September 1992). This issue was obviously clarified in 1992, at the initial stage of the establishment of the Minsk Group, when it was stated that both communities of Nagorno-Karabakh enjoy equal rights.

Lastly, in its judgment in the case of *Chiragov and others v. Armenia*, the European Court of Human Rights put an end to the prolonged denial by Armenia of its responsibility by confirming that the separatist regime established in the occupied territories of Azerbaijan exists because of military, political, financial and other support from Armenia, and also observed that Armenia effectively exerts control over the occupied territories of Azerbaijan.

The time spent investigating similar unfounded statements negates the efforts made to advance the negotiation process, undermining its success and the sustainable development of the region. The time has come for the leadership of Armenia to demonstrate clearly how it prefers to use its time.
