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**Return or restitution of cultural property to the countries  
of origin****Culture of peace****Prevention of armed conflict****Peacebuilding and sustaining peace****Elimination of racism, racial discrimination, xenophobia  
and related intolerance****Right of peoples to self-determination****Promotion and protection of human rights****The rule of law at the national and international levels****The responsibility to protect and the prevention of genocide,  
war crimes, ethnic cleansing and crimes against humanity****Security Council  
Seventy-seventh year****Letter dated 3 February 2022 from the Permanent Representative  
of Azerbaijan to the United Nations addressed to the  
Secretary-General**

The letter from the Permanent Representative of Armenia dated 12 January 2022 (A/76/655-S/2022/28), containing as its annex a paper in the name of a non-existent entity and from a person currently under an arrest warrant as a suspect of serious criminal offences, is yet another evidence of outrageous fabrication and undisguised propaganda of war, racism and lawlessness. While the annexed paper has no validity whatsoever and its content should attract the interest of the law enforcement organs of Azerbaijan only, I wish to bring to your attention the following in connection with the allegations of the Permanent Representative of Armenia regarding the Azerbaijani city of Shusha (Şuşa), which was liberated from Armenian occupation on 8 November 2020, and the “millennia-old Armenian cultural and religious heritage” in Azerbaijan.

First, what the Armenian authorities and representatives should always remember before sharing falsifications and insinuations is the tragic fate of the Azerbaijani population and its historical and cultural heritage in Armenia itself. As is known, there were over half a million Azerbaijanis living in the Azerbaijani Khanate of Iravan (İrəvan) in the territory of present-day Armenia until the establishment of



Soviet rule in the region in the 1920s. Since then, they have been methodically forced out of their ancestral lands. Eventually, in the late 1980s, the remaining more than 200,000 Azerbaijanis were brutally expelled from Armenia and their historical and cultural heritage consistently and deliberately eradicated. Those monuments, buildings and religious sites that survived until the late 1980s have since been destroyed or subjected to the so-called “reconstruction” in such a way as to alter their Azerbaijani authenticity. All Azerbaijani historical localities were renamed throughout Armenia, and all Azerbaijani cemeteries in that country were destroyed and desecrated.

That those actions were apparent manifestations of violent and racist policies and practice at the State level has been evidenced in the same deliberate methods applied by Armenia to the territories of Azerbaijan during the almost 30 years of their occupation.

After the expulsion of all Azerbaijanis from its territory in the early 1990s, Armenia launched an aggressive war against Azerbaijan and seized – through the use of force in violation of international law – the sovereign territories of Azerbaijan consisting of the former autonomous province of mountainous Garabagh (Qarabağ), the surrounding seven districts (Aghdam (Ağdam), Fuzuli (Füzuli), Gubadly (Qubadlı), Kalbajar (Kəlbəcər), Lachin (Laçın), Jabrayil (Cəbrayıl), Zangilan (Zəngilan)), seven villages in the Gazakh district (Baganys Ayrym (Baqanis Ayrım), Kheyrymly (Xeyrimli), Ashaghy Askipara (Aşağı Əskipara), Barkhudarly (Bərxudarlı), Sofulu (Sofulu), Gyzylhajly (Qızılhacılı) and Yukhary Askipara (Yuxarı Əskipara)), and the village of Karki (Kərki) in the Nakhchyvan (Naxçıvan) Autonomous Republic.

Among the occupied areas in mountainous Garabagh was the city of Shusha – Azerbaijan’s historical and cultural centre, where Azerbaijanis constituted 98 per cent of the population before the war.

Shusha was founded in 1752 by Panah Ali Khan Javanshir – the ruler of the Garabagh Khanate. There are many unique historical, cultural and religious sites in the city, such as Panah Khan Castle, Gara Boyukkhanyim Castle, Yukhary Govhar Agha, Ashaghy Govhar Agha, Saatly, Khoja Marjanly, Merdinli, Kocharli, Julfalar, Hajy Yusifli, Chol Gala, Taza Mahalla and Chukhur Mahalla mosques, the caravanserais and mosques of Mashadi Shukur Mirsiyab and Mashadi Huseyn Mirsiyab, the madrasas of the Yukhary and Ashaghy Govhar Agha mosques, the House of Natavan, the Shusha Museum of History, the Shusha Museum of Carpets, the Garabagh Museum of History, the Garabagh Museum of Literature, the State Gallery of Pictures, the Museum of Uzeyir Hajybayov, the Museum of Bulbul, the Museum of Mir Mohsun Navvab and the mausoleum of Molla Panah Vagif.

In particular, the construction of the Ashaghy (lower) and Yukhary (upper) Govhar Agha mosques in the city was begun during the reigns of Pahah Ali Khan Javanshir and Ibrahim Khalil Khan Javanshir in the eighteenth century and was completed in the late nineteenth century. Named after the poetess Princess Govhar Agha, they are considered to be symbols of Shusha and masterpieces of Oriental architecture.

In the nineteenth century, Shusha became the flourishing cultural capital of Azerbaijan, as many of the greatest poets, singers, musicians, composers and artists were born and lived in the city. Among them, the poetess Khurshidbanu Natavan – daughter of the last ruler of the Garabagh Khanate, Mehti Kuli Khan (who ruled from 1806 to 1822); the composer and author of the first opera in the Islamic world and of the national anthem of Azerbaijan, Uzeyir Hajibayov; the scientist, artist, musicologist and poet Mir Mohsun Navvab; the writers Abdurrahim bey Hagverdiyev and Najaf bey Vazirov; the tar performer and composer Mirza Sadigjan; the folk singers Jabbar Garyughdioghlu, Khan Shushinski and Seyyid Shushunski; and the opera tenor Bulbul.

Shusha is home to one of the leading schools of mugham – an ancient Azerbaijani genre of vocal and instrumental music. In 2003, the United Nations Educational, Scientific and Cultural Organization (UNESCO) proclaimed the Azerbaijani mugham as a “Masterpiece of the oral and intangible heritage of humanity” and, five years later, included it on the List of Intangible Cultural Heritage. Shusha is also well known for its carpet-weaving and its horses.

In 1977, the city of Shusha was declared a State Historical and Architectural Reserve of the Soviet Socialist Republic of Azerbaijan.

As a result of the seizure of Shusha by Armenian forces in May 1992, the city and the surrounding villages were ethnically cleansed of their 24,000 Azerbaijani citizens, 195 civilians were killed and 165 were wounded, 58 persons went missing and the city was looted and burned and remained largely in ruins.

The capture of the city prompted the Security Council to express deep concern by “violations of cease-fire agreements which have caused heavy losses of human life and widespread material damage, and by their consequences for the countries of the region” and to call “to take all steps necessary to bring the violence to an end”.<sup>1</sup>

However, this appeal and further statements and resolutions of the Security Council<sup>2</sup> were ignored by Armenia, whose armed forces continued to advance, seizing new territories of Azerbaijan and killing and expelling more civilians. After the establishment of a ceasefire in 1994, Armenia directed all its efforts at consolidating the occupation and colonizing the captured territories.

During the war and the years of occupation, most occupied districts, cities and villages of Azerbaijan were razed to the ground. Azerbaijani cultural heritage in those territories suffered considerable damage at the hands of the aggressor. Thousands of cultural objects, including monuments of world and national importance, mosques, temples, mausoleums, museums, exhibits, art galleries, archaeological sites and libraries were looted and destroyed. Azerbaijani religious sites were also desecrated, their religious symbolism perverted through their use as stables or animal pens, and their remnants looted. Out of 67 mosques and Islamic religious shrines, 65 were destroyed and 2 were significantly damaged. Furthermore, 900 graveyards were vandalized in those territories.<sup>3</sup> In the city of Shusha, nearly 160 cultural and historical monuments, 16 mosques, 170 residential buildings, 29 schools, 31 libraries, 17 cultural clubs and 8 cultural centres were looted and destroyed.

The acts of barbarism varied in methods and also included construction works, archaeological excavations and so-called “reconstruction” and “development” projects, which were carried out with the aim of changing the authentic architectural style and

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<sup>1</sup> Note by the President of the Security Council [S/23904](#) (12 May 1992).

<sup>2</sup> Notes and statements by the President of the Security Council [S/24493](#) (26 August 1992), [S/24721](#) (27 October 1992), [S/25539](#) (6 April 1993), [S/26326](#) (18 August 1993), [S/PRST/1995/21](#) (26 April 1995); and Security Council resolutions [822 \(1993\)](#), [853 \(1993\)](#), [874 \(1993\)](#) and [884 \(1993\)](#).

<sup>3</sup> For more information, see Azerbaijan, Ministry of Foreign Affairs, and Heydar Aliyev Foundation, *War against Azerbaijan: Targeting Cultural Heritage – The Series of “The True Facts about Garabagh”* (Baku, 2007), available at [www.mfa.gov.az/files/War-against-Azerbaijan-Targeting-Cultural-Heritage.pdf](http://www.mfa.gov.az/files/War-against-Azerbaijan-Targeting-Cultural-Heritage.pdf); [A/75/872–S/2021/429](#) (6 May 2021); International Court of Justice, *Interpretation and Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Republic of Azerbaijan v. Republic of Armenia)*, Application instituting proceedings filed on 23 September 2021, pp. 34–42 and 56–58; and “Voluntary report of the Republic of Azerbaijan on the violations of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict (the Hague Convention) and its two Protocols (1954 and 1999) by the Republic of Armenia during the occupation of the territories of Azerbaijan”, 7 October 2021.

unique characteristics of buildings and cultural and religious sites in the occupied territories.

Furthermore, some 40,000 museum exhibits and numerous other cultural objects were stolen and taken out of Azerbaijan. Thus, on 20 February 2021, 71 of 160 valuable carpets stolen from the Museum of Carpets in the city of Shusha were exhibited at the Alexander Tamanyan National Museum-Institute of Architecture in Iravan. Likewise, in the Khudavang cloister complex located in the Kalbajar district of Azerbaijan, the fresco on the east wall of the Arzu Khatun church inside the complex, as well as crosses, bells and icons, were removed and illegally transferred to Armenia. Armenia refuses to return these and other objects of cultural property that were stolen and illegally transferred to Armenia.

The sole purpose of Armenia's wantonly destructive conduct in relation to Azerbaijani cultural heritage, which constitutes a flagrant violation of international law and amounts to war crimes and crimes against humanity, was to falsify cultural, historical or scientific evidence, misappropriate cultural objects, erase any signs of Azerbaijani cultural and historical roots from the occupied territories and permanently change their demographic composition, cultural structure and identity.

Azerbaijan has repeatedly brought to the attention of the international community the atrocities committed against its historical and cultural heritage,<sup>4</sup> appealing to the Secretary-General, UNESCO and other international organizations to take urgent measures to ensure the protection of this heritage. In 1992, the delegation of Azerbaijan to the United Nations urged the Secretary-General to use all his influence and authority to halt the destruction of Shusha, preserve it for future generations and bring about the complete and immediate withdrawal of Armenian forces from the city.<sup>5</sup>

However, Armenia has consistently denied access to UNESCO for an assessment mission to the occupied territories of Azerbaijan.<sup>6</sup> Even now, after the end of the war, Armenia continues to politicize the engagement of UNESCO and other humanitarian actors and tries to interfere in their mandates and activities, in clear contravention of international law.

Throughout the years of occupation, Armenia has publicized the seizure of the territories of Azerbaijan and the destruction of its cultural heritage as a "glorious victory"; every year it has ostentatiously celebrated the capture of the sacred city of Shusha and venerated war criminals and convicted terrorists as national heroes. Armenia's reliance on endless impunity has made the heavy defeat of its annexationist policy irreversible.

In response to Armenia's renewed act of aggression on 27 September 2020, Azerbaijan launched a counteroffensive operation and put an end to the occupation of its territories. The liberation of the city of Shusha by the Azerbaijani Army on

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<sup>4</sup> See, for example, [E/CN.4/2001/107](#) (22 November 2000), [A/58/594-S/2003/1090](#) (13 November 2003), [A/62/491-S/2007/615](#) (23 October 2007), [A/62/691-S/2008/95](#) (13 February 2008), [A/64/475-S/2009/508](#) (6 October 2009), [A/64/760-S/2010/211](#) (28 April 2010), [A/70/1016-S/2016/711](#) (16 August 2016), [A/71/782-S/2017/110](#) (7 February 2017), [A/71/880-S/2017/316](#) (26 April 2017), [A/72/508-S/2017/836](#) (5 October 2017), [A/72/725-S/2018/77](#) (1 February 2018), [A/73/878-S/2019/406](#) (20 May 2019) and [A/74/676-S/2020/90](#) (7 February 2020).

<sup>5</sup> Letter dated 12 June 1992 from the Permanent Representative of Azerbaijan addressed to the Secretary-General ([S/24094](#)).

<sup>6</sup> See, for example, the report of UNESCO on the activities undertaken from 1995 to 2004 on the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its 1954 and 1999 Protocols, para. 54.

8 November 2020 paved the way for the conclusion of the three-decades-old armed conflict.

Against that background, the allegations of the Permanent Representative of Armenia about “millennia-old Armenian cultural and religious heritage” and its “destruction and misappropriation” by Azerbaijan are not only in clear contradiction of the facts, the historical evidence and elementary logic, but are also inconsistent with the statements of the political leadership of his country.

Thus, after the end of the war, the Prime Minister of Armenia, Nikol Pashinyan, confessed that Shusha had been destroyed and devastated during the occupation, since it had never been an Armenian city. His following words, in response to accusations of betrayal from the political opposition in the country, require no further comment: “They say they sold Shushi ... Who did sell Shushi? If Shushi was sold, then it was done during the last 30 years, because Shushi was [an] unhappy, pale city. *Did we need Shushi? And if we needed it, why was it in that condition?*”<sup>7</sup> In his later remarks addressed to his opponents, the Prime Minister of Armenia confirmed that Shusha was not an Armenian city: “Shushi had 90 and more percent of Azerbaijani population before the conflict ... that is, do you mean to say that the city of Shushi, with a population of 90 and more Azerbaijanis, is Armenian in its status?”<sup>8</sup>

As to the equally absurd allegation of the Permanent Representative of Armenia regarding Azerbaijan’s correspondence with UNESCO, it is a sovereign right of my country to submit to that organization any documents and discuss any issues in relation to the cities and cultural property located on its territory.

Immediately after the end of the war, Azerbaijan prioritized the rehabilitation and reconstruction of the liberated territories, including the restoration of all historical and cultural sites destroyed and damaged during the conflict and occupation, without distinction of any kind. Large-scale works are now under way, with the participation of experienced specialists and architects.

In this connection, it would be pertinent to recall that, in its order on provisional measures under the International Convention on the Elimination of All Forms of Racial Discrimination, the International Court of Justice, inter alia, rejected Armenia’s request to prevent and prohibit the “alteration” of “heritage”, which was essentially intended to halt any restoration works by Azerbaijan in relation to monuments located in the liberated territories.<sup>9</sup>

Life is now returning to Shusha. In a short period of time, several historical and cultural objects have been restored, and last year the Khari-bulbul music festival and the Vagif poetry days were held in the city. On 7 May 2021, the President of Azerbaijan, Ilham Aliyev, signed a decree declaring the city of Shusha to be the cultural capital of Azerbaijan. On 31 May 2021, the Law of the Republic of Azerbaijan “On the cultural capital of Azerbaijan – the city of Shusha” was adopted. These decisions were made to set out further legal and organizational measures for the restoration, protection, study, development and promotion of the city.

This year, Azerbaijan will celebrate the 270th anniversary of Shusha. On the occasion of this remarkable page in Azerbaijan’s history, on 5 January 2022, President Aliyev declared 2022 as the Year of Shusha.

<sup>7</sup> See [https://newsarmenia.am/news/nagorno\\_karabakh/pashinyan-shushi-by-l-neschastnym-bestsvetnym-gorodom-nam-by-l-nuzhen-shushi-video/](https://newsarmenia.am/news/nagorno_karabakh/pashinyan-shushi-by-l-neschastnym-bestsvetnym-gorodom-nam-by-l-nuzhen-shushi-video/). Emphasis added.

<sup>8</sup> See <https://news.am/eng/news/626217.html>.

<sup>9</sup> *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*, Provisional Measures, Order of the International Court of Justice of 7 December 2021. See [A/76/612–S/2021/1078](https://www.icj-ij.org/en/cases/171000202101078) (22 December 2021).

The following statement by the President of Azerbaijan, Ilham Aliyev, made on the day of the liberation of Shusha and which I wish to quote in conclusion, eloquently reflects the everlasting significance of the city and its historical and cultural heritage for the people of Azerbaijan: “Dear Shusha, you are free! Dear Shusha, we are back! Dear Shusha, we will reinvigorate you! Shusha is ours! Garabagh is ours! Garabagh is Azerbaijan!”<sup>10</sup>

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 10, 16, 35, 66, 72, 73, 74, 85 and 134, and of the Security Council.

(Signed) Yashar **Aliyev**  
Ambassador  
Permanent Representative

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<sup>10</sup> See <https://president.az/en/articles/view/45756>.