



# General Assembly Security Council

Distr.: General  
13 September 2023

Original: English

**General Assembly  
Seventy-eighth session**

Agenda items 31, 61, 69, 71, 83 and 129

**Prevention of armed conflict**

**Peacebuilding and sustaining peace**

**Elimination of racism, racial discrimination, xenophobia  
and related intolerance**

**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-eighth year**

## **Letter dated 12 September 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General**

Upon instructions from the Government of the Republic of Azerbaijan, I have the honour to submit herewith a letter from the Western Azerbaijan Community, an organization dealing with the protection of the rights of Azerbaijanis expelled from present-day Armenia, addressed to the United Nations High Commissioner for Human Rights (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 31, 61, 69, 71, 83 and 129, and of the Security Council.

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



## **Annex to the letter dated 12 September 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General**

### **Letter dated 10 August 2023 from the Western Azerbaijan Community addressed to the United Nations High Commissioner for Human Rights**

On behalf of Azerbaijanis forcibly expelled from Armenia, I am writing to bring to your attention a massive, pressing and deeply concerning human rights problem that demands immediate international intervention.

The forced expulsion of the Azerbaijani population from Armenia gave rise to a multitude of flagrant human rights violations that contravene numerous international conventions and treaties, undermining the principles of human dignity and equality. Armenia conducted ethnic cleansing against ethnic Azerbaijanis by massacre, terror, intimidation, illegal seizure of their property, systematic propaganda and dehumanization campaign portraying them as a threat or as lesser beings, restricting their movement and limiting their access to resources. Armenian authorities destroyed graveyards, religious sites, cultural landmarks, and historical monuments of the Azerbaijanis. By doing this, the Government of Armenia not only displaced Azerbaijanis physically but also tried to erase their traces from the landscape.

As a result of Armenia's ethnic cleansing of Azerbaijanis in 1987-91, no single Azerbaijani remains today in Armenia. Armenia exacerbates the suffering of hundreds of thousands Azerbaijani expellees by denying them the right to return. Armenia adamantly refuses to even start a dialogue with us regarding our human rights, despite our repeated calls.

The forced expulsion of Azerbaijanis from Armenia, and Armenia's refusal to let them return to their homeland constitutes a grave violation of numerous fundamental human rights as stipulated below.

#### *Right to non-discrimination*

The heinous ethnic cleansing carried out by Armenia against Azerbaijanis represents a grave violation of the right to non-discrimination, as enshrined in the Universal Declaration of Human Rights (Article 2) and the International Covenant on Civil and Political Rights (Article 26). These actions also stand in stark contradiction to the commitments outlined in various international conventions, including the International Covenant on Economic, Social and Cultural Rights and, most significantly, the Convention on the Elimination of All Forms of Racial Discrimination.

#### *Right to equality before the law*

The coerced expulsion of Azerbaijanis from Armenia starkly infringes upon their fundamental right to equality before the law, enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. This violation is particularly evident in the denial of their right to return to their ancestral lands based solely on their ethnicity. Armenia's actions clearly contravene Article 26 of the International Covenant on Civil and Political Rights, which guarantees that all individuals are equal before the law and are entitled without discrimination to the equal protection of the law.

*Right to life, liberty, and security*

Armenia's policy of ethnic cleansing against Azerbaijanis has also jeopardized their right to life, liberty, and security, as stipulated in Article 3 of the Universal Declaration of Human Rights, Articles 6 and 9 of the International Covenant on Civil and Political Rights, Article 5 of the European Convention on Human Rights and numerous other international treaties that safeguard the sanctity of human life and the fundamental values of security and personal freedom. Azerbaijanis were subjected to killings, arbitrary arrests. They were uprooted from their communities, families, and livelihoods, resulting in profound emotional and psychological distress. The violence, abrupt displacement and subsequent trauma caused by the expulsion profoundly challenge these rights.

*Right to freedom from torture and inhuman or degrading treatment*

The ethnic cleansing carried out by Armenia against Azerbaijanis, marked by widespread torture, degrading punishment, and inhumane treatment, stands as a grave violation of the Universal Declaration of Human Rights (Article 5) and the International Covenant on Civil and Political Rights (Article 7). These actions directly oppose commitments made within international conventions, including the International Covenant on Economic, Social and Cultural Rights, and most notably, the Convention on the Elimination of All Forms of Racial Discrimination. The use of torture and degrading treatment grossly breaches the absolute prohibition of such acts outlined in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, an instrument to which Armenia is a party.

*Right not to be subjected to enforced disappearance*

It is essential to underscore the gravely concerning fact that numerous Azerbaijanis went missing during their attempts to flee from Armenia, and as a result of Armenia's military aggression against the territorial integrity and sovereignty of Azerbaijan, where most of the expelled Azerbaijanis had found refuge. These forced disappearances committed by Armenia constitute a blatant violation of the fundamental right to security and not to be subjected to such practices. This right is enshrined in various international human rights instruments, including the Universal Declaration of Human Rights (Article 3), the International Covenant on Civil and Political Rights (Article 9), and the International Convention for the Protection of All Persons from Enforced Disappearance. Armenia refuses to bring clarity about the fate and whereabouts of these individuals and disclose exact location of the mass graves and other burial places of killed Azerbaijanis, further exacerbating the pain and uncertainty experienced by their families. Addressing these disappearances is imperative for upholding human rights, granting closure and justice to the affected families.

*Right to nationality*

The forced expulsion of the Azerbaijani population from Armenia has also led to a grievous violation of their right to nationality, as enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Armenia's actions have given rise to a dire situation of statelessness, effectively stripping the expelled Azerbaijanis of their nationality and leaving them without a legal identity or protection. This unsettling predicament contradicts the essence of Article 15 of the Universal Declaration of Human Rights, which explicitly asserts that everyone has the right to a nationality and shall not be arbitrarily deprived of it. Armenia's persistent refusal to allow the return of the Azerbaijani population and enjoy their nationality rights in their homeland is a direct contravention of its obligations under the Convention on the Reduction of Statelessness.

### *Right to an effective remedy*

The expelled Azerbaijani population's right to an effective remedy, as established by the International Covenant on Civil and Political Rights, has been egregiously undermined by the denial of their right to return. As a result, Azerbaijanis from Armenia are unable to seek remedies in their own homeland for the harm they have suffered. It further compounds their plight. This denial not only violates their right to a fair and impartial process, as enshrined in Article 14 of the International Covenant on Civil and Political Rights, but also directly contradicts the fundamental principles of justice and accountability that the Covenant and other international instruments seek to uphold. The international community's intervention is imperative to ensure that Armenia upholds its obligations under the International Covenant on Civil and Political Rights, provides the displaced Azerbaijani population with access to effective remedies, and facilitates their return and restoration of their rights. Addressing this grievous violation is essential to restoring the victims' access to justice and reaffirming the principles of human rights and accountability upheld by the international human rights law.

### *Right to family life*

The forced expulsion of the Azerbaijani population has not only caused immense suffering but has also profoundly disrupted and violated their right to family life, a principle protected by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and numerous other documents. The separation of families and communities due to the forced expulsion represents a grave violation of Armenia's specific obligations under in Article 16.3 of the Universal Declaration of Human Rights and Article 23 (1) of the International Covenant on Civil and Political Rights relating State's responsibility to protect family. This violation extends beyond mere physical displacement, encompassing emotional distress and psychological pain inflicted upon individuals torn apart from their loved ones and uprooted from their communities. The denial of the right to return further exacerbates this violation by perpetuating the pain of severed family ties. The international community's intervention is imperative to ensure that Armenia fulfills its obligations under relevant conventions, facilitating the restoration of communities shattered by the expulsion. Addressing this grave breach of human rights is essential to mitigating the immeasurable suffering endured by the affected Azerbaijani population and reaffirming the importance of family unity and well-being enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

### *Principle of the best interest of the child*

The forced expulsion of Azerbaijanis from Armenia also intricately violates the rights of children, as outlined in the Convention on the Rights of the Child. The principle of the best interest of the child, enshrined in Article 3 of the Convention, recognizes that children's well-being should be of paramount consideration in all decisions including those of Governments. Forced displacement orchestrated by the Government of Armenia violated this principle by uprooting children from their homes, communities, and familiar environments, exposing them to trauma and uncertainty. Armenia's policy and actions deprived Azerbaijani children of stability, security, and access to basic services. Azerbaijani children's rights to education, health, and protection were jeopardized. Infringements by Armenia upon ethnic Azerbaijani children's rights in the context of forced displacement not only undermined their immediate well-being but also impeded their long-term development, perpetuating cycles of vulnerability and injustice.

*Right to education and work*

The expulsion of the Azerbaijani population from Armenia has also significantly undermined their rights to education and work, as explicitly guaranteed by various international conventions. The expulsion had far-reaching consequences, disrupting the lives and fabric of communities and impinging upon individuals' access to education and meaningful employment. The right to education, articulated in the Convention on the Rights of the Child under Article 28 and the International Covenant on Economic, Social and Cultural Rights under Article 13, has been hindered. Similarly, the right to work, enshrined in the International Covenant on Economic, Social and Cultural Rights under Article 6 and the International Convention on the Elimination of All Forms of Racial Discrimination under Article 5 (i), was severely hampered as the expulsion uprooted Azerbaijanis from their livelihoods and communities, obstructing their re-engagement in dignified work and contribute to society. The ramifications of these violations extend beyond the immediate displacement, underscoring the urgency of addressing such breaches of human rights norms.

*Property rights*

It is crucial to emphasize the grievous breach of property rights suffered by the forcibly expelled Azerbaijani population. The orchestrated campaign of forced expulsion by the Government of Armenia not only stripped individuals of their homeland but also infringed upon their fundamental right to property ownership and peaceful enjoyment of their possessions. This violation stands in direct contradiction to Article 17 of the Universal Declaration of Human Rights, which recognizes the right to property as an essential human right. Moreover, it contravenes Article 1 of Protocol No. 1 to the European Convention on Human Rights, which safeguards the right to property from arbitrary interference. The arbitrary seizure of property further intensified the suffering and dispossession experienced by the expelled Azerbaijani population. Addressing this aspect of the violations is imperative to rectify the injustices committed and ensure that the rights to property and restitution are restored, offering a path towards justice.

*Right to adequate housing*

The coerced expulsion of the Azerbaijani population constitutes a profound and flagrant violation of their essential right to adequate housing, as delineated in the International Covenant on Economic, Social, and Cultural Rights. The right to adequate housing, enshrined in Article 11 of the Covenant, encompasses not only the provision of shelter but also the guarantee of security, habitability, and cultural identity. By forcibly dispossessing individuals of their homes, Armenia has transgressed the very essence of this pivotal human right, thereby robbing affected populations of the fundamental sense of security and belonging that a home provides.

*Cultural rights*

The forced expulsion of Azerbaijanis from Armenia and the systematic destruction of their cultural heritage by Armenia constitute a flagrant violation of their cultural rights. These rights encompass essential human rights that ensure the enjoyment of culture and its facets within a framework of equality, human dignity, and non-discrimination. Among these cultural rights are the entitlement to participate fully in cultural life, the ability to access and enjoy cultural heritage, the freedom to express one's cultural identity, the opportunity to reap the benefits of scientific progress, and the liberty to exercise artistic creativity. The sanctity of these rights finds recognition in numerous international human rights instruments, including Article 27 of the Universal Declaration of Human Rights, Article 15 of the

International Covenant on Economic, Social and Cultural Rights, Article 27 of the International Covenant on Civil and Political Rights, Article 31 of the Convention on the Rights of the Child, Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, Article 13 of the Convention on the Elimination of All Forms of Discrimination Against Women, Article 30 of the Convention on the Rights of Persons with Disabilities, and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. This poignant violation of cultural rights endangers expelled Azerbaijanis' intangible cultural heritage, disrupts their traditional practices, and imperils the rich tapestry of their cultural heritage.

#### *Right to return*

Armenia's prevention of expelled Azerbaijanis to return to their homes flagrantly encroaches upon their fundamental right to return in safety and with dignity. This essential right is explicitly recognized in Article 13 of the Universal Declaration of Human Rights and Article 12 of the International Covenant on Civil and Political Rights. By preventing their rightful return to their ancestral lands, Armenia deprives them of their intrinsic right to inhabit their place of origin. The blatant disregard for these provisions, entrenched within multiple international conventions, necessitates an urgent and resolute response from the international community. The restoration of the expelled population's right to return and freedom of movement stands as a paramount imperative, reflecting the commitment to upholding the principles enshrined in the universal tenets of human rights and justice.

The forced expulsion of the Azerbaijani population from Armenia constitutes an egregious and multi-faceted violation of numerous fundamental human rights principles and international conventions. The relentless perpetration of ethnic cleansing through massacres, intimidation, preaching hatred, and denial of return has left in its wake a trail of human suffering, shattered communities, and profound injustices. Armenia's actions stand in stark contrast to the principles of equality, non-discrimination, and human dignity upheld by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, and other international agreements. Urgent and robust international intervention is imperative to rectify these profound violations, restore the rights of the affected population, and affirm the commitment to human rights, justice, and equality.

Certainly, the enabling the right to return shall be in the center of international efforts to restore justice, achieve peace and reconciliation.

Given the gravity and magnitude of these violations and the tasks ahead, we urgently appeal for your esteemed office to undertake the following actions, in accordance with your mandate and established practice:

- Conduct a comprehensive and impartial investigation into the ongoing human rights violations by Armenia against the expelled Azerbaijanis.
- Launch a dialogue with Armenia on ensuring the safe and dignified return of the forcibly displaced Azerbaijanis to their rightful homes, and apply diplomatic pressure on Armenia to that end.
- Advocate for the accountability of those responsible for orchestrating ethnic cleansing, violence, and the destruction of Azerbaijani heritage in Armenia, and those obstructing expelled Azerbaijanis' right to return in safety and with dignity;
- Raise international awareness and condemnation of these egregious violations, emphasizing the imperative of restorative justice.

- Present the issue to the UN Human Rights Council and encourage discussions on the matter.

We also kindly call on you to encourage relevant special procedures mandate holders to take action by sharing information, preparing reports, engaging in public advocacy, and fostering collaborative involvement to address the violations of the rights of the expelled Azerbaijanis by Armenia, particularly their expulsion and denial of the right to return to their home in safety and with dignity.

Your intervention will play a pivotal role in rectifying the profound injustices suffered by the expelled Azerbaijanis, ultimately restoring their inherent human rights and dignity.

I send a copy of this letter to the UN Secretary General, Presidents of the UN General Assembly, Security Council, Economic and Social Council, Human Rights Council, chairpersons of the treaty bodies and relevant special procedures mandate holders.

We eagerly await your prompt attention and action to address this critical matter.

*(Signed)* Dr. Aziz **Alakbarov**  
Chairman of the Board

---