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**Security Council
Seventy-eighth year**

Letter dated 8 February 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I flatly reject the letter from the Permanent Representative of Armenia dated 5 January 2023,¹ which is nothing but another clear manifestation of his country's policy of slander, deceptions, hatred and territorial claims.

In response to our communications supported by numerous facts and evidence about Armenia's continued laying of mines and setting of booby traps in the territory of Azerbaijan with the intention of killing or maiming Azerbaijanis and preventing the return of the Azerbaijani internally displaced persons to their homes,² the author of the letter did not find anything better than to rely on preposterous excuses, diluting them with the standard set of baseless claims and false narratives.

¹ [A/77/686-S/2023/22](#).

² [A/77/597-S/2022/835](#) and [A/77/611-S/2022/885](#).



We remember well that, after the end of the conflict in November 2020, Armenia rejected that it had any maps of the minefields, calling it a “fake agenda”, later refused to hand over “unexpectedly” found maps, but eventually had to release some of them under international pressure. However, although Armenia admitted that these maps were only a “tiny part” of the information in its possession,³ and despite incompleteness and inaccuracy of most of the records it provided and the increasing number of Azerbaijanis killed by landmines, Armenia has repeatedly and categorically refused to further engage on this issue. Consequently, Armenia’s assertion that it expressed readiness to cooperate in the decoding of the maps is fiction.

We also remember that Armenia initially denied that it manufactured landmines, asserting that the mines unearthed on the territory of Azerbaijan could not be Armenian.⁴ We now know that these claims of Armenia were false, as an Armenian company, Hayk-Mek, has made weapons and ordnance for the armed forces of Armenia, including landmines, for many years. In particular, this company manufactured the mines that Azerbaijan discovered on its territory, starting in August 2022.⁵

These contradictory statements of Armenia alone cast serious doubt upon the overall story that the aforementioned letter tried to “eloquently” tell. Fortunately, further inconsistencies of this kind provide additional grounds for revelations.

Thus, expanding its fabrications, Armenia now asserts that the mines displayed by Azerbaijan were allegedly found on the territory of Armenia during the clashes on the border between the two countries in September 2022. In other words, Armenia claims that Azerbaijan has surreptitiously taken thousands of these deadly devices from the territory of Armenia and transported them hundreds of kilometres from the place of their discovery deep into its territory only to set up a staged photo shoot for propaganda purposes.

First, it is necessary to clarify that Azerbaijan has never occupied Armenia’s territory. The clashes in September 2022 occurred along the non-delimited Azerbaijan-Armenia border, not in Armenia, and were provoked by the armed forces of Armenia, as was properly documented and reported to the United Nations.⁶

Further, besides being absurd as such, the story about the “stolen” mines falls apart also at least because the mines manufactured in Armenia in 2021 were discovered on the territory of Azerbaijan before September 2022.

Thus, in his letter dated 23 August 2022 addressed to the Secretary-General, the Minister for Foreign Affairs of Azerbaijan informed that 1,318 landmines

³ “Yerevan transfers only a fraction of minefield maps to Baku, says Pashinyan”, 13 June 2021, <https://tass.com/world/1302267>.

⁴ See *Landmine Monitor Report 2009: Toward a Mine-Free World, Special Ten-Year Review of the Mine Ban Treaty* (2009), http://www.the-monitor.org/media/1641881/Landmines_Report_2009.pdf, p. 873; *Landmine & Cluster Munition Monitor*, “Armenia: Mine Ban Policy”, 12 November 2019, <http://www.the-monitor.org/en-gb/reports/2020/armenia/mine-ban-policy.aspx#ftn10>; Statement by the Delegation of the Republic of Armenia at the 1024th plenary meeting of the Forum for Security Co-operation Security Dialogue on Explosive Hazards in the OSCE region: The Iron Harvest, 5 October 2022, <https://www.osce.org/files/f/documents/6/1/534005.pdf>.

⁵ Interim report on the ongoing deployment by Armenia of landmines on the territory of Azerbaijan, Annex to the letter dated 4 November 2022 from the Permanent Representative of the Republic of Azerbaijan to the United Nations addressed to the Secretary-General, [A/77/597-S/2022/835](https://www.un.org/News/Press/docs/2022/20220835.html), p. 4.

⁶ Statement of the Ministry for Foreign Affairs of the Republic of Azerbaijan, 13 September 2022, [A/77/337-S/2022/690](https://www.mfa.gov.az/en/press-releases/2022/09/13), annex; Letter dated 13 September 2022 from the Minister for Foreign Affairs of the Republic of Azerbaijan addressed to the Secretary-General, [A/77/338-S/2022/691](https://www.mfa.gov.az/en/press-releases/2022/09/13), annex; Statement by the Permanent Representative of the Republic of Azerbaijan to the United Nations at the 9132nd meeting of the Security Council, 15 September 2022, [S/PV.9132](https://www.un.org/News/Press/docs/2022/20220913.html), pp. 13–16.

manufactured in Armenia in 2021 had been detected in the Lachin district of Azerbaijan between 15 and 22 August 2022.⁷

Moreover, Azerbaijan found newly constructed booby traps and newly laid Armenian-made landmines in the villages of Zabukh and Sus, after these villages and the town of Lachin returned to Azerbaijan on 26 August 2022.

Armenia is fundamentally wrong in its inference that it has no obligation to provide maps of minefields. Indiscriminate use of mines is prohibited under international humanitarian law. States using landmines are also under the obligation to record their placement⁸ and, at the end of active hostilities, to remove or otherwise render them harmless to civilians, or facilitate their removal.⁹ Furthermore, as the International Committee of the Red Cross explained: “The use of booby-traps which are in any way attached to or associated with objects or persons entitled to special protection under international humanitarian law or with objects that are likely to attract civilians is prohibited.”¹⁰

International law likewise obliges Armenia not to impede the safe return of internally displaced persons to their homes.¹¹ Armenia’s conduct also violates international human rights law, in particular the right to life, guaranteed under article 6 of the International Covenant on Civil and Political Rights and article 2 of the European Convention on Human Rights, the right to liberty of movement and freedom to choose residence, guaranteed under article 12 of the International Covenant on Civil and Political Rights and article 2 of Protocol No. 4 to the European Convention on Human Rights, as well as the prohibition on racial discrimination, as the racially motivated purpose of laying landmines and setting booby traps is undeniable.

Armenia must disclose the locations of the minefields also in accordance with its obligations based on “certain general and well-recognized principles, namely: elementary considerations of humanity, even more exacting in peace than in war”, as has been stated in the relevant jurisprudence of the International Court of Justice.¹²

The assertion that Azerbaijan allegedly obstructs the humanitarian access of the international community to the region is equally fallacious. Azerbaijan has hosted and continues to welcome site visits from international organizations that are conducted in compliance with the principles of sovereignty and territorial integrity. Azerbaijan is fully committed to transparency to allow the international community to bear witness to what has happened in its territories formerly occupied by Armenia.

Thus, shortly after the end of the war, at the invitation of the Government of Azerbaijan, a team of experts from the United Nations undertook an inter-agency mine action assessment to Azerbaijan from 10 to 16 December 2020. The experts visited the territories of Azerbaijan liberated from occupation to verify complex mine threat and support mine action response in the country. Already then, along with other observations and findings, they reported about “indications that some houses might have been booby trapped (IED) as the Armenians withdrew”.

Furthermore, an international conference on humanitarian mine action and the Sustainable Development Goals, co-organized by Azerbaijan and the United Nations,

⁷ See the Annex to the letter dated 24 August 2022 from the Chargé d’affaires a.i. of the Permanent Mission of the Republic of Azerbaijan to the United Nations addressed to the Secretary-General, [A/76/930-S/2022/642](#).

⁸ International Committee of the Red Cross, List of customary rules of international humanitarian law, Rule 82.

⁹ Ibid., Rule 83.

¹⁰ Ibid., Rule 80.

¹¹ Ibid., Rule 132.

¹² *The Corfu Channel case (Merits), Judgment of 9 April 1949, I.C.J. Reports 1949*, p. 22.

was held on 31 March and 1 April 2022 in Baku, with the participation of 130 experts from 37 countries, to exchange experiences and discuss recommendations in support of mine action in Azerbaijan.

On 7 February 2023, the officials of the Azerbaijan National Agency for Mine Action and the United Nations Development Programme held a joint conference in the city of Shusha to launch a new project on mine action funded by the European Union to support the safe return of internally displaced persons through capacity-building of the Azerbaijan National Agency for Mine Action.

Azerbaijan also organized visits to minefields by the diplomatic corps to witness the discovered anti-personnel mines laid by Armenia on the territory of Azerbaijan in the post-conflict period.

Additionally, in a broader context of international humanitarian engagement, over this short period, Azerbaijan has hosted a preliminary site visit by the Director-General of the Islamic World Educational, Scientific, and Cultural Organization in January 2021; a joint meeting of the Government of Azerbaijan and the United Nations on post-conflict and post-pandemic recovery in Shusha in March 2022; a recovery and peacebuilding assessment scoping mission visit by experts from the United Nations, the World Bank and the European Union in March 2022; an environmental scoping mission by experts from the United Nations Environment Programme in March 2022; a technical assessment visit of the Organization for Security and Cooperation in Europe (OSCE) from 28 March to 1 April for the implementation of a project on explosive hazards risk reduction; a visit by the Vice-President of the International Council on Monuments and Sites in April 2022; a visit by an experts mission of the Islamic World Educational, Scientific, and Cultural Organization to the formerly occupied territories in May 2022; a conference dedicated to the restoration and reconstruction of the liberated territories, mine clearance operations and the use of urban development potential, held in Shusha in August 2022, with the participation of heads of diplomatic missions and representatives of international organizations; and the first Azerbaijan National Urban Forum, co-organized with the United Nations Human Settlements Programme (UN-Habitat), in the liberated city of Aghdam and in Baku in October 2022.

In contrast, Armenia does everything possible to politicize the engagement of international humanitarian organizations and interfere in the matters falling within their mandates and the sovereign rights and competence of Azerbaijan, while passing over in silence its own blocking of access by the same organizations to the territories of Azerbaijan during the 30 years of the occupation of those territories.

While ranting about the discontinuation of certain programmatic activities of OSCE with Armenia and the closure of the OSCE office in Iravan, the Permanent Representative of Armenia deliberately distorts the true reasons for this. Everybody in the organization knows that it was his country that refused to comply with the formal procedures required to ensure the transparency and accountability necessary for such projects to be approved and that also misused its host country status to involve the OSCE office in activities inconsistent with its mandate as well as the principles, values and commitments of the organization, in particular those relating to the sovereignty and territorial integrity of States. Azerbaijan's constructive efforts aimed at addressing and resolving its legitimate concerns and bringing the activities of the office in conformity with its mandate were not reciprocated by Armenia. Therefore, if there is anyone to blame, it is definitely Armenia itself.

The fact is that, despite the pressing need for post-conflict rehabilitation of the formerly occupied territories of Azerbaijan, with humanitarian demining as its essential part, Armenia is trying to prevent the implementation of an assistance project in OSCE on explosive hazards risk reduction requested by Azerbaijan.

Armenia's assertion about "the large-scale military aggression unleashed by Azerbaijan" in the fall of 2020 is a sheer fantasy. The legality of Azerbaijan's recourse to force is indisputable. Azerbaijan used a counter-force to restore its territorial integrity and protect its people, acting exclusively on its sovereign soil, in full conformity with the Charter of the United Nations, international law and the relevant resolutions of the Security Council.

Azerbaijan fought not against a fictitious entity or civilian residents, as Armenia falsely claims, but against the regular armed forces of Armenia, as well as terrorist and mercenary groups under its command and control, deployed in the then-occupied territories of Azerbaijan. Thus, according to the official figures from the Government of Armenia, losses among its military personnel amounted to about 4,000 killed, all of them on the territory of Azerbaijan.¹³

During hostilities, the armed forces of Azerbaijan strictly adhered to the principle of distinction and did not target civilian objects unless they were used for military purposes. At the same time, Azerbaijan has taken concrete steps to investigate and prosecute alleged breaches of international humanitarian law.

As far as Armenia's own conduct is concerned, the extensive details as to the range, variety and consistency of its violations of the rules and customs of war are contained in our numerous reports and communications submitted to the Secretary-General.¹⁴ There are also abundant sources, consisting of the documents of international organizations and the findings of independent investigations by foreign journalists, human rights activists and international non-governmental organizations, which reported on the gravity of multiple atrocities committed by the Armenian forces.

For example, the non-governmental organization, to which the Permanent Representative of Armenia selectively referred in his letter, has repeatedly documented such atrocities, recognizing the culpability of the Armenian forces for forced displacement, indiscriminate and targeted shelling of the Azerbaijani population, the killing, serious mistreatment and summary execution of civilians and prisoners of war, the taking of hostages, the scalping and mutilation of corpses, the looting, destruction and burning of homes, businesses, schools and hospitals, the destruction of cultural heritage and the use of internationally banned cluster munitions.¹⁵

No matter how inventive the storytellers in Armenia are, they cannot conceal the fact that, only during the 44-day war from September to November 2020, direct and indiscriminate missile and artillery attacks by the armed forces of Armenia that struck Aghdam, Barda, Fuzuli, Ganja, Goranboy, Naftalan, Tartar and other Azerbaijani cities and districts, with the use of cluster bombs, ballistic missiles, unguided artillery rockets and large-calibre artillery projectiles, killed 101 civilians, including 12 children, injured over 450 civilians and destroyed or damaged numerous civilian objects.

¹³ See, for example, "Pashinyan says about 4,000 Armenian troops killed in Nagorno-Karabakh", 14 April 2021, <https://tass.com/world/1277921>.

¹⁴ See, for example, [A/74/676-S/2020/90](#); [A/75/357-S/2020/948](#); [A/75/379-S/2020/965](#); [A/75/486-S/2020/969](#); [A/75/487-S/2020/973](#); [A/75/492-S/2020/977](#); [A/75/508-S/2020/1001](#); [A/75/512-S/2020/1010](#); [A/75/529-S/2020/1027](#); [A/75/555-S/2020/1047](#); [A/75/558-S/2020/1051](#); [A/75/574-S/2020/1083](#); [A/75/660-S/2020/1267](#).

¹⁵ See, for example, Letter dated 23 March 1997 from the Executive Director of Human Rights Watch/Helsinki addressed to the Minister for Foreign Affairs of Armenia, www.hrw.org/news/1997/03/23/response-armenian-government-letter-town-khojaly-nagorno-karabakh#; "Armenia: Cluster Munitions Kill Civilians in Azerbaijan – stop using banned weapons; secure and destroy stocks", 30 October 2020, www.hrw.org/news/2020/10/30/armenia-cluster-munitions-kill-civilians-azerbaijan#; "Armenia: Unlawful Rocket, Missile Strikes on Azerbaijan. Investigate Indiscriminate Attacks, Use of Explosive Weapons in Populated Area", 11 December 2020, www.hrw.org/news/2020/12/11/armenia-unlawful-rocket-missile-strikes-azerbaijan.

Not a single person was prosecuted and punished for these offences in Armenia. The reason is simple – they were part of the widespread and systematic State policy aimed at terrorizing, expelling and killing Azerbaijanis and fomenting hatred against them based on ethnic animus.

The attempt to blame Azerbaijan for civilians tragically affected by mines during the conflict is also baseless, as only Armenia, which unleashed an aggressive war, deployed its troops in the sovereign territories of Azerbaijan and kept them under occupation for 30 years, is responsible for human casualties.

Armenia's claims of a closure or blockade of the Lachin-Khankandi road are simply false. There is no blockade or impediment whatsoever or shortages of food and medicine. The regime for the movement of persons, vehicles and cargo along the road remains unchanged, with Azerbaijan guaranteeing the security, in accordance with the November 2020 trilateral statement. Residents, ambulances, humanitarian convoys and the International Committee of the Red Cross continue using the road without any restrictions. Thus, since 12 December 2022, about 1,800 vehicles have passed safely through the road, most of them large trucks carrying foodstuff, medicines and other supplies to Khankandi. As the International Committee of the Red Cross reported through its Twitter account on 1 February 2023, it has "facilitated the safe passage of 60 patients needing urgent medical care" and has "also delivered medicine, baby formula, and food to health facilities". Moreover, the Government of Azerbaijan has declared its readiness to provide further humanitarian or any other assistance to the residents, if needed.¹⁶

It is clear that the purpose of Armenia's smear campaign around the Lachin-Khankandi road is to derail the normalization process, cover up its illegal actions, flame anti-Azerbaijani hatred and revive territorial claims. Armenia's continued use of various fabricated titles to refer to the localities within Azerbaijan and circulation of worthless papers in the name of a fictitious entity and the remnants of the regime it installed in the territories of Azerbaijan when they were under occupation are indicative of its attempts to sabotage the previously agreed principles and commitments, including in particular those relating to mutual respect for sovereignty and territorial integrity. It is no coincidence that Armenia pulled out of the talks last December and, since then, has declined multiple invitations to meetings.

Armenia must abide by its international obligations, completely withdraw its armed forces and illegal armed formations from the territory of Azerbaijan, cease and desist from territorial claims, illegal activities and disinformation, put an end to mine terrorism, shed light on the fate of several thousand Azerbaijanis who went missing during the conflict, redress the harm caused to Azerbaijan as a result of 30 years of aggression and occupation and engage faithfully in negotiations on a peace treaty and the delimitation of the border between the two States.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 18, 30, 57, 58, 66, 68, 73, 84 and 132, and of the Security Council.

(Signed) Yashar Aliyev
Ambassador
Permanent Representative

¹⁶ For more information, see the Statement by the Permanent Representative of the Republic of Azerbaijan to the United Nations at the 9228th meeting of the Security Council, 20 December 2022, [S/PV.9228](#), pp. 12–15.