



# General Assembly Security Council

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Agenda items 30, 58, 64, 66, 68, 73, 84 and 132

**Prevention of armed conflict****Peacebuilding and sustaining peace****Promotion and protection of the rights of children****Elimination of racism, racial discrimination, xenophobia  
and related intolerance****Promotion and protection of human rights****Responsibility of States for internationally wrongful acts****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 23 February 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General**

I write to you as my country, Azerbaijan, will commemorate in the coming days the thirty-first anniversary of the largest massacre committed during Armenia's aggression. On the night of 25 to 26 February 1992, Armenia's military forces invaded the town of Khojaly in the Karabakh region of Azerbaijan, killing 613 civilians, including 106 women, 63 children and 70 elderly persons. Another 1,000 people were wounded, 1,275 were taken hostage and 150 residents of the town remain missing to this day.

Civilians were treated with extreme brutality. Bodies of Azerbaijanis were found badly mutilated, with eyes removed or the head scalped. Those who were not killed were left to freeze to death in the sub-zero temperatures of the mountains.

The massacre against Azerbaijani residents of Khojaly has elicited an international outcry. Armenia's conduct has been described as an act of genocide or a crime against humanity by a number of national parliaments, international



organizations, eminent international lawyers, foreign journalists, human rights activists and international non-governmental organizations.<sup>1</sup>

The fact that Armenia and its political and military leadership are responsible for the crimes in Khojaly is well documented. Moreover, pronouncements by high-ranking officials of Armenia, along with publications of Armenian authors familiar first hand with the details of the atrocities also confirm that Armenia's military forces carried out targeted attacks against Azerbaijani civilians in Khojaly.

Thus, the former Minister of Defence and President of Armenia, Serzh Sargsyan, who served as a military commander on the ground at the time, publicly confessed, and subsequently never renounced his words, that the slaughter of Azerbaijani civilians in Khojaly was deliberately committed by Armenia's military forces.<sup>2</sup>

To date, however, Armenia has taken no steps to bring the perpetrators of the Khojaly massacre to justice and to investigate and prosecute numerous other horrific offences committed by its military forces during the aggression. Armenia's failure to act constitutes a clear violation of international law, consolidates impunity and poses a threat to peace, security and stability in the region.

In the light of the above, it is critically important that the United Nations and the international community as a whole insist on accountability for these offences, as required under the international law of State responsibility, international humanitarian law, international human rights law and international criminal law.

Azerbaijan will never forget the atrocities committed against its people and will continue its efforts to ensure justice and to prevent and eliminate by all available means, in accordance with its Constitution and legislation, as well as the Charter of the United Nations and international law, any threats to the safety and well-being of its people and to the State's sovereignty and territorial integrity.

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<sup>1</sup> See, for example, *The Independent* (29 February 1992); *The Age* (6 March 1992); *Newsweek* (16 March 1992); *Time* (16 March 1992); "Report by the Memorial Human Rights Centre on massive violations of human rights committed in the seizure of Khojaly during the night of 25 to 26 February 1992", in Fiona Maclachlan and Ian Peart (eds.), *Khojaly Witness of a War Crime: Armenia in the Dock* (Ithaca Press, 2014), pp. 75–83; Letter dated 23 March 1997 from the Executive Director of Human Rights Watch/Helsinki addressed to the Minister for Foreign Affairs of Armenia, available at [www.hrw.org/news/1997/03/23/response-armenian-government-letter-town-khojaly-nagorno-karabakh#](http://www.hrw.org/news/1997/03/23/response-armenian-government-letter-town-khojaly-nagorno-karabakh#); Council of Europe, Declaration adopted by the Committee of Ministers, 11 March 1992, doc. No. CM/Del/Concl(92)471bis; Organization of Islamic Cooperation, resolution No. 8/43-C on Affiliated Institutions, 18–19 October 2016, para. 8; Organization of Islamic Cooperation, final communiqué of the twelfth session of the Islamic Summit Conference, 6–7 February 2013, para. 117; European Court of Human Rights, App. No. 40984/07, Judgment of 22 April 2010, paras. 60–62 and 87; Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War* (New York University Press, 2013), pp. 182–185; Jessica A. Stanton, *Violence and Restraint in Civil War: Civilian Targeting in the Shadow of International Law* (Cambridge University Press, 2016), p. 237; Laurence Broers, *Armenia and Azerbaijan: Anatomy of a Rivalry* (Edinburgh University Press, 2019), p. 37; "Report on war crimes in the occupied territories of the Republic of Azerbaijan and the Republic of Armenia's responsibility", A/74/676–S/2020/90, annex (7 February 2020); <https://justiceforkhojaly.org/content/international-recognition-0>; and <https://justiceforkhojaly.org/content/countries-organizations>.

<sup>2</sup> Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War* (New York University Press, 2013), pp. 184–185. See also Gerard Libaridian, "An Armenian perspective on Khojali", 28 February 2014, available at [www.opendemocracy.net/en/armenian-perspective-on-khojali/](http://www.opendemocracy.net/en/armenian-perspective-on-khojali/); and Markar Malkonian, *My Brother's Road: An American's Fateful Journey to Armenia* (London and New York, I. B. Tauris, 2005), pp. 213–214.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 30, 58, 64, 66, 68, 73, 84 and 132, and of the Security Council.

(Signed) Yashar Aliyev  
Ambassador  
Permanent Representative

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