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Agenda items 31, 61, 67, 69, 71, 80, 83 and 129

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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

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**The responsibility to protect and the prevention of
genocide, war crimes, ethnic cleansing and crimes
against humanity**

**Security Council
Seventy-ninth year**

Letter dated 16 February 2024 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In the coming days, Azerbaijan will commemorate the thirty-second anniversary of the largest massacre committed during the Armenian aggression. On the night of 25 to 26 February 1992, the Armenian armed forces invaded the town of Khojaly in the Garabagh region of Azerbaijan, killing 613 civilians, including 106 women, 63 children and 70 elderly persons. Six families were totally exterminated; 25 children lost both parents, and 130 children lost one parent. The victims were treated with extreme brutality. Many bodies were found badly mutilated, with heads severed or scalped and eyes gouged out. Some victims were burned alive. Those who were not killed were left to freeze to death in the sub-zero temperatures of the mountains. Another 1,000 residents of Khojaly were wounded, 1,275 were taken hostage, and 150 went missing.

This tragedy elicited an international outcry. A number of national parliaments, international organizations, eminent international lawyers, foreign journalists, human



rights activists and international non-governmental organizations condemned the slaughter in Khojaly as an act of genocide or a crime against humanity.¹

The counter-offensive operation and the local counter-terrorism measures carried out by Azerbaijan in the fall of 2020 and last September, respectively, put an end to the 30-year occupation of its territories. Among the hundreds of liberated cities, towns and villages of Azerbaijan was Khojaly, to which life is now gradually returning.

The liberated territories revealed the scale of atrocities and human suffering. Mass graves found in these territories attested to the wilful killing of Azerbaijani civilians and other persons protected under international humanitarian law.²

However, Armenia refuses to bring the perpetrators of the Khojaly massacre and numerous other war crimes committed by its forces, agents and officials to justice. Armenia's failure to act and to provide remedy for its breaches constitutes a clear violation of international law, consolidates impunity and poses a threat to long-awaited peace in the region.

It is critically important that the United Nations and the international community as a whole insist on accountability for the war that Armenia unleashed, the atrocities that it committed and the large-scale ethnic cleansing and barbaric destructions that it carried out.

Azerbaijan has taken concrete steps to investigate and prosecute the violations of international humanitarian law and international human rights law and shed light on the fate of missing persons, in full accordance with its national legislation and international obligations.

Azerbaijan is determined to continue its efforts towards putting an end to impunity and building, strengthening and sustaining peace and stability in the region.

¹ 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#; 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; Malcolm N. Shaw, “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; <https://justiceforkhojaly.org/content/international-recognition-0>; and <https://justiceforkhojaly.org/content/countries-organizations>.

² See, for example, Letter dated 2 March 2022 from the Minister for Foreign Affairs of the Republic of Azerbaijan addressed to the Secretary-General, A/76/736-S/2022/176, annex; Letter dated 13 January 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, A/77/695-S/2023/34.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 31, 61, 67, 69, 71, 80, 83 and 129, and of the Security Council.

(Signed) Yashar Aliyev
Ambassador
Permanent Representative
