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**Security Council
Seventy-sixth year**

Letter dated 17 March 2021 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I am writing with reference to the letter dated 1 March 2021 from the Permanent Representative of Armenia ([A/75/788-S/2021/205](#)), containing as its annex the statement of the Ministry of Foreign Affairs of Armenia on the so-called “thirty-third anniversary of the anti-Armenian massacres in Sumgait”. This statement is blatant falsification and deliberate distortion of facts. The following points need to be made in that regard.

It is well known that the unrest in Sumgayit, stirred up during the existence of the Union of Soviet Socialist Republics (USSR) on 27 and 28 February 1988, was preceded by Armenia’s unlawful and groundless territorial claims on the Daghlyq Qarabagh (Upper/Nagorno Karabakh) autonomous oblast of Azerbaijan and carefully



orchestrated attacks at the end of 1987 on the Azerbaijanis in Khankandi¹ and in Armenia itself, resulting in a flood of Azerbaijani refugees and internally displaced persons. The forcible deportation of Azerbaijanis from Armenia started in its Gafan and Meghri districts in November 1987. On 22 February 1988, in Azerbaijan, near the settlement of Asgaran on the Khankandi-Aghdam highway, the Armenians opened fire on a peaceful demonstration, killing two Azerbaijani youths.

It is undeniable that the Azerbaijanis in the Armenian SSR and the then Daghlyq Qarabagh autonomous oblast of Azerbaijan were the first to be subjected to violence and abuse. In contrast to what Armenia asserts, its territorial claims and actions were never peaceful, nor were they constitutional or in compliance with international law. In the end, as a result of the full-scale war unleashed by Armenia against Azerbaijan in the early 1990s, a significant part of the territory of Azerbaijan, namely, Daghlyq Qarabagh, the seven surrounding districts (Aghdam, Fuzuli, Gubadly, Kalbajar, Lachyn, Jabrayil and Zangilan) and some exclaves, were occupied. Both the territory of Armenia and the occupied territories of Azerbaijan were ethnically cleansed of more than 1 million Azerbaijanis, and the process of their expulsion was accompanied by killings, torture, enforced disappearances, the destruction of property and pillaging.

Armenia's claims for self-determination in the form of the unilateral secession of the Daghlyq Qarabagh region from Azerbaijan, asserted once again in the statement of the Ministry of Foreign Affairs of Armenia, are fundamentally flawed for a number of reasons.

First, these claims were raised when both Armenia and Azerbaijan were parts of the USSR. Therefore, it is pertinent to recall that, according to the Constitution of the USSR in effect at that time, the territory of a Union Republic could not be altered without its consent, while the borders between the Union Republics could be altered by mutual agreement of the Republics concerned, subject to approval by the USSR. On the eve of the independence of Azerbaijan, the unlawfulness within the Soviet legal system of any attempts aimed at either unification of Daghlyq Qarabagh with Armenia or its secession from Azerbaijan without Azerbaijan's consent was confirmed at the highest constitutional level. Evidently, the definition of the territory of Azerbaijan as it proceeded to independence clearly included Daghlyq Qarabagh.

Second, the situation following the independence of Azerbaijan and actions of Armenia is also clear. Any attempt by Armenia to encourage, procure or sustain the secession of Daghlyq Qarabagh is simply unlawful in international law as it amounts to a violation of the principle of respect for the territorial integrity of States. Armenia's speculations with regard to the principle of self-determination have nothing in common with that principle, as it is set forth in the Charter of the United Nations, the 1975 CSCE Helsinki Final Act and other international documents. International law is unambiguous in not providing for a right to unilateral secession from independent States and in not creating grounds and conditions for legitimizing such secession in any sense, including within the meaning of the right to self-determination. Moreover, self-determination claims are unsustainable when they are accompanied by violation of international law, in particular its peremptory norms (*jus cogens*), such as those prohibiting the threat or use of force against the sovereignty and territorial integrity of States.

In its unanimously adopted resolutions [822 \(1993\)](#), [853 \(1993\)](#), [874 \(1993\)](#) and [884 \(1993\)](#), the Security Council condemned the use of force against Azerbaijan and

¹ The town of Khankandi was founded by the Khans of the Azerbaijani Karabakh Khanate in the eighteenth century. Khankandi is translated from the Azerbaijani language as the Khan's Village. In September 1923, after the establishment of Soviet rule in Azerbaijan, Khankandi was renamed Stepanakert after Stepan Shaumian, a Bolshevik Commissar and Vladimir Lenin's proxy in the South Caucasus. In 1991, the town was returned its historical name, Khankandi.

the occupation of its territories; reaffirmed respect for the sovereignty and territorial integrity of Azerbaijan and the inviolability of international borders; confirmed that the Daghlyq Qarabagh region is an integral part of Azerbaijan; and demanded the immediate, complete and unconditional withdrawal of the occupying forces from all the occupied territories.

As for the Sumgayit unrest in February 1988, the official investigation established that it had been a well-prepared provocation masterminded by the Armenian extremist forces to discredit Azerbaijan and cover up Armenia's unlawful annexationist objectives and violent methods for their achievement. The investigation found that one of the organizers and perpetrators of criminal acts committed in Sumgayit, which claimed the lives of 32 people, of whom 6 were Azerbaijanis, was Eduard Grigorian, an Armenian and resident of the city. Among the evidence collected by the investigation, the testimonies of the witnesses, including Armenians, provide irrefutable proof of his role and direct participation in the violence. E. Grigorian was sentenced to long-term imprisonment. Besides him, in all, 92 persons were brought to justice and one was sentenced to death for offences in Sumgayit.

In contrast, nobody has been prosecuted in Armenia for the killings of hundreds of Azerbaijanis in the course of their forcible deportation from Armenia during the 1987–1989 period, as well as for numerous war crimes committed against the Azerbaijanis in the course of the Armenian aggression.

Thus, as a result of the attack and capture of the Azerbaijani town of Khojaly by Armenian forces in February 1992, 613 Azerbaijani civilians were brutally killed, including 106 women, 63 children and 70 elderly people. Another 1,000 people were wounded, 1,275 residents of Khojaly were taken hostage and 150 people went missing. One expert commentator has described the slaughter in Khojaly as “by a large margin the worst single atrocity of the Armenian-Azerbaijani war”.²

The crimes committed in Khojaly were not an isolated or sporadic act, but an integral part of Armenia's widespread and systematic policy and practice. Azerbaijani civilians in many other villages and cities of the country were subjected to similar massacres by Armenian forces.³

However, numerous appeals by Azerbaijan on the need to ensure accountability remained a voice in the wilderness. On the contrary, Armenia has widely publicized the aggression against Azerbaijan as a “glorious victory”, ostentatiously celebrated the seizure of Azerbaijani territories, venerated war criminals and convicted terrorists as national heroes, overtly promoted the outrageous ideas of ethnic incompatibility and incited the youth and future generations to new wars and violence.

Another act of aggression by Armenia on 27 September 2020 has become a logical consequence of the impunity it has enjoyed for more than 30 years. In total, as a result of direct and indiscriminate attacks carried out by the armed forces of Armenia between 27 September and 9 November 2020, 101 Azerbaijani civilians, including 12 children and 27 women, were killed, almost 84,000 people were forced to leave their homes and over 4,300 private houses and apartment buildings and 548 other civilian objects were either destroyed or damaged. Even hospitals, medical facilities, ambulances, schools, kindergartens, religious sites, cultural monuments and cemeteries were not spared. There have also been multiple instances of extrajudicial

² Laurence Broers, *Armenia and Azerbaijan: Anatomy of a Rivalry* (Edinburgh, Edinburgh University Press, 2019), p. 37.

³ See Malcolm N. Shaw and Naomi Hart, “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).

executions and mistreatment of Azerbaijani prisoners of war, as well as of desecration and mutilation of dead bodies by Armenian militaries.

As a result of the counteroffensive operation undertaken and successfully accomplished by the armed forces of Azerbaijan, in the exercise of the inherent right of self-defence, some 10,000 km² of the territory of Azerbaijan, including the Aghdam, Fuzuli, Gubadly, Kalbajar, Lachyn, Jabrayil and Zangilan districts, the city of Shusha and more than 300 cities, towns and villages, were de-occupied. Azerbaijan acted exclusively on its sovereign soil to protect its civilian population, put an end to almost 30 years of occupation of its sovereign territories and allow hundreds of thousands of its forcibly expelled citizens to return to their homes in dignity and safety.

Armenia's fabricated and obsolete narratives have no chance of succeeding, as its asserted determination to "live a free, independent and dignified life" can in no way be achieved by hatred, animosity and territorial claims towards neighbouring States and peoples and at the expense of contempt for their legitimate rights to live the same life on their own homeland within the internationally recognized borders.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 35, 40, 70, 72, 86, 114 and 135, and of the Security Council.

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