



# General Assembly Security Council

Distr.: General  
31 August 2021

Original: English

**General Assembly  
Seventy-fifth session**

Agenda items 34, 35, 40, 64, 70, 72, 86 and 135

**Prevention of armed conflict**

**Protracted conflicts in the GUAM area and their  
implications for international peace, security  
and development**

**The situation in the occupied territories of Azerbaijan**

**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-sixth year**

## **Letter dated 30 August 2021 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General**

Upon instructions from my Government, on the occasion of the International Day of the Victims of Enforced Disappearances, I would like to bring to your attention the following.

Since 2004, on the initiative of Azerbaijan, the General Assembly has adopted nine resolutions entitled “Missing persons”, reaffirming the obligations under international humanitarian law with regard to missing persons and calling upon States parties to an armed conflict to take all appropriate measures to prevent enforced disappearances in connection with armed conflict and to account for persons reported missing as a result of such a situation.<sup>1</sup>

<sup>1</sup> See General Assembly resolutions [59/189](#) (20 December 2004), [61/155](#) (19 December 2006), [63/183](#) (18 December 2008), [65/210](#) (21 December 2010), [67/177](#) (20 December 2012), [69/184](#) (18 December 2014), [71/201](#) (19 December 2016), [73/178](#) (17 December 2018) and [75/184](#) (16 December 2020).



Azerbaijan is also a main sponsor of the resolution of the Commission on the Status of Women entitled “Release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts”, in which it strongly urges all parties to armed conflict to prevent and combat acts of hostage-taking.

On 11 June 2019, the Security Council adopted resolution [2474 \(2019\)](#) on missing persons, its first-ever resolution on this topic, in which it reaffirmed its strong condemnation of the deliberate targeting of civilians or other protected persons in situations of armed conflict and called upon all parties to armed conflict to put an end to such practices, in accordance with their obligations under international humanitarian law. Other provisions included calling upon the parties to armed conflict to take all appropriate measures to prevent persons from going missing as a result of armed conflict and to facilitate the reunion of families and ensure impartial and effective investigations and the prosecution of offences linked to missing persons as a result of armed conflict, with a view to full accountability.

However, a common characteristic of most, if not all, conflicts is the failure of the parties to respect and ensure respect for their obligations under international humanitarian law and prosecute and punish those responsible for serious offences.

In the course of its aggression against Azerbaijan since the early 1990s, Armenia, its agents and officials and those for whom it is directly responsible have committed numerous violations of international humanitarian law. Armenia has repeatedly flouted the unambiguous and unqualified prohibitions on attacks directed at civilians, on the murder and wilful killing of civilians, on attacks that cause indiscriminate or disproportionate harm to civilians and on hostage-taking and the mistreatment of prisoners of war and civilian detainees.<sup>2</sup>

The scale of the violations is evidenced, inter alia, by the several thousands of citizens of Azerbaijan missing in connection with the conflict. To date, they number 3,890 people, including 719 civilians. Among the civilians, 71 are children, 267 are women and 326 are elderly. It has been established that, among the missing persons, 872 citizens of Azerbaijan were taken either as prisoners of war or hostages in the early phase of the conflict, including 605 servicemen and 267 civilians, of whom 29 are children, 98 are women and 112 are elderly.

It should be particularly noted that the International Committee of the Red Cross visited 54 detainees in Armenian custody, including 6 women, but they were thereafter killed between 1993 and 1995. The bodies of only 17 of them were later returned to Azerbaijan, including those of 12 captives who were held and subsequently killed on the territory of Armenia – the majority in the capital city of Iravan. Another 33 detainees were reported dead, but their bodies were not returned, while the fate of 4 people remains unknown.

Armenia is in violation of international law for refusing to account for the missing persons and to conduct an effective investigation into their fate, as well as for the additional suffering imposed upon the relatives of the missing persons, owing to the obstructive attitude it has adopted in this matter. Azerbaijan expects that Armenia will shed light on the fates and whereabouts of 3,890 missing Azerbaijanis and bring to justice those responsible for their disappearance.

As you clearly stated in your message on the occasion of the International Day of the Victims of Enforced Disappearances, “States must fulfil their obligations to

---

<sup>2</sup> For more information, see the 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), paras. 83–117, 154–160, 166–173, as well as [A/75/660-S/2020/1267](#) (22 December 2020).

prevent enforced disappearance, to search for the victims, and to investigate, prosecute and punish the perpetrators”.<sup>3</sup>

Indeed, ending impunity for serious violations of international law must be an inevitable consequence of the offences committed. It is also an important preventive tool and an essential prerequisite on the path to genuine reconciliation. Azerbaijan will continue its consistent efforts to ensure accountability and the rights of the victims and their families.

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, 64, 70, 72, 86 and 135, and of the Security Council.

(Signed) Yashar Aliyev  
Ambassador  
Permanent Representative

---

<sup>3</sup> Secretary-General’s message for the International Day Commemorating the Victims of Enforced Disappearances, 30 August 2021. Available at [www.un.org/en/observances/victims-enforced-disappearance/message](http://www.un.org/en/observances/victims-enforced-disappearance/message).