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**Security Council
Seventy-seventh year**

**Letter dated 27 January 2022 from the Permanent
Representative of Azerbaijan to the United Nations addressed
to the Secretary-General**

Further to my statement submitted for the Security Council open debate in connection with the theme “War in cities: protection of civilians in urban settings” under the agenda item “Protection of civilians in armed conflict”, held on 25 January 2022, I write to you to bring to your attention our response to the statement made by the Permanent Representative of Armenia at the meeting.

This is not the first time that Armenia has not shied away from overtly attempting to mislead the international community as to the causes, course and consequences of the war that it unleashed against Azerbaijan. The comments made by the Permanent Representative of Armenia, full of a standard set of fabrications and distortions, also demonstrate how Armenia is far from complying with its international obligations or promoting peace, stability and cooperation in our region.

First, the so-called “Nagorno-Karabakh”, to which the delegation of Armenia stubbornly refers in its statements and communications, is the legacy of the Bolshevik past and long ago ceased to exist as an administrative and territorial unit. The unlawfulness of attempted unilateral secession of this area from Azerbaijan was confirmed at the highest constitutional level at the relevant time and subsequently reaffirmed in Security Council resolutions [822 \(1993\)](#), [853 \(1993\)](#), [874 \(1993\)](#) and



884 (1993), General Assembly resolution 62/243, reports and statements of the Secretary-General and numerous other international documents. This area is the sovereign territory of Azerbaijan, which has been under Armenia's unlawful occupation for nearly three decades.

An attempt by the Permanent Representative of Armenia to sustain his country's territorial claims and fabricated historical narratives by referring in his statement to other fake names, such as "Artsakh", "Stepanakert", "Shushi", "Mardakert" and "Martuni", is equally invalid. Resorting to such provocations is in clear violation of international law, the Constitution and legislation of Azerbaijan and the principles and procedures for the international standardization of geographical names established within the United Nations.

The official list of geographical names in Azerbaijan is contained in the report submitted by the Government of Azerbaijan to the United Nations Group of Experts on Geographical Names.¹ The report also includes the list of geographical names of Azerbaijan identified as falsified by Armenia.²

Furthermore, by his decree of 7 July 2021, the President of the Republic of Azerbaijan established the Garabagh (Qarabağ) (consisting of the city of Khankandi (Xankəndi) and the districts of Aghjabadi (Ağcabədi), Aghdam (Ağdam), Barda (Bərdə), Fuzuli (Füzuli), Khojaly (Xocalı), Khojavand (Xocavənd), Shusha (Şuşa) and Tartar (Tərtər)) and East Zangazur (Şərqi Zəngəzur) (consisting of the districts of Jabrayil (Cəbrayıl), Kalbajar (Kəlbəcər), Gubadly (Qubadlı), Lachin (Laçın) and Zangilan (Zəngilan)) economic regions in Azerbaijan.

Second, Armenia's assertion that Azerbaijan used force against the "people of Nagorno-Karabakh", in violation of the ceasefire and international humanitarian law, is another apparent fabrication.

As is known, in the early 1990s, Armenia unleashed full-scale war and committed aggression against Azerbaijan. By May 1994, when the ceasefire was established, a significant part of the territory of Azerbaijan, namely the former autonomous province of mountainous Garabagh, the seven surrounding districts (Aghdam, Fuzuli, Gubadly, Kalbajar, Lachin, Jabrayil and Zangilan) and some exclaves near the border between the two States, were occupied.

In its aforementioned resolutions, the Security Council explicitly condemned the use of force against Azerbaijan and the resulting occupation of its territories and demanded the immediate, complete and unconditional withdrawal of Armenian occupying forces from all the occupied territories of Azerbaijan.

The resolutions of the Security Council provided authoritative clarification as to the committed acts, the violated obligations and the duties to put an end to the illegal situation thus created. They qualified Armenian actions as the unlawful use of force, in contravention of the Charter of the United Nations and international law, and invalidated its territorial claims once and for all. The resolutions also formed the basis of the mandate of the Minsk Group of the Conference on Security and Cooperation in Europe (CSCE) – later the Organization for Security and Cooperation in Europe (OSCE) – and its Co-chairmen and provided the framework for the settlement of the conflict.

However, Security Council key demands, including in the first place the withdrawal of the occupying forces from the occupied territories of Azerbaijan, were not implemented by Armenia, and the mediation efforts conducted during this period

¹ GEGN.2/2021/CRP.134.

² Ibid., annex I. Available at https://unstats.un.org/unsd/ungegn/sessions/2nd_session_2021/documents/GEGN.2_2021_CRP133_list%20of%20falsified%20names-annex.pdf.

yielded no results. Armenia's attempts to consolidate the status quo resulting from the unlawful use of force and colonize the seized territories under the cover of the ceasefire and the peace process could in no way be reconciled with the objectives of a negotiated settlement.

The resumption of hostilities in the fall of 2020 became a logical consequence of the impunity that Armenia had enjoyed for 30 years, its continuous disregard for international law, obstruction of the peace process, numerous armed provocations on the ground and inflammatory and warmongering statements. Indeed, the situation at that time was indicative of the absence of other reasonable means of bringing the aggression and occupation to an end, rendering the use of force in self-defence the *ultima ratio*.³

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 and international law.

Third, a phrase in the statement of the Permanent Representative of Armenia about the thousands of lives allegedly claimed by the use of force by Azerbaijan has nothing to do with civilian losses. It is no coincidence that, in the best traditions of Armenian falsifications, this phrase is camouflaged in such a way as to create a wrong impression of civilian casualties. In fact, however, those thousands who died in the fighting on the Armenian side were the personnel of the armed forces of Armenia deployed in the 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.⁴

Obviously, only Armenia, which unleashed an aggressive war and deployed its troops in the sovereign territory of another State, is responsible for the death of its servicemen, the grief of their families and the sufferings of the civilian population.

Furthermore, in his statement, the Permanent Representative of Armenia, as usual, "forgot" to inform the Security Council of his country's atrocity methods of warfare during both the First and Second Garabagh Wars. No matter how silent the officials of Armenia are, they cannot conceal the fact that, only in the course of hostilities in the fall of 2020, Armenia perpetrated multiple direct and indiscriminate attacks against densely populated Azerbaijani cities through the employment of prohibited cluster bombs, ballistic missiles, unguided artillery rockets and large-calibre artillery projectiles.

Thus, Ganja, the second largest city of Azerbaijan, was hit four times. Two strikes, on 11 and 17 October 2020, were launched from the territory of Armenia, claiming the lives of 25 civilians and injuring more than 80 civilians. It is revealing that Armenian forces struck Ganja on 17 October in the early morning, while residents were asleep in their homes.

On 28 October 2020, the city centre of Barda came under the massive rocket fire, causing the death of 21 civilians and injuring more than 70 civilians. The United Nations High Commissioner for Human Rights, Michelle Bachelet, characterized the

³ See, e.g., "Report on the legal consequences of the armed aggression by the Republic of Armenia against the Republic of Azerbaijan", A/63/662-S/2008/812, annex (24 December 2008); and Dapo Akande and Antonios Tzanakopoulos, "Use of force in self-defence to recover occupied territory: when is it permissible?", available at <https://www.ejiltalk.org/use-of-force-in-self-defence-to-recover-occupied-territory-when-is-it-permissible/>.

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

consequences of the attack on Barda as “the biggest single loss of life”, noting also that the rockets fired by Armenian forces reportedly carried cluster munitions.⁵

As a result of these attacks, 101 Azerbaijani civilians, including 12 children, were killed, more than 400 civilians were wounded, almost 84,000 people were forced to leave their homes and over 4,300 private houses and apartment buildings and more than 500 other civilian objects were either destroyed or damaged.

Needless to say, the perpetrators of brutal crimes committed against Azerbaijani civilians in both wars and between them continue to enjoy impunity. Instead, Armenia venerated and glorified war criminals as national heroes and promoted them to the highest political and military positions in Armenia.

Fourth, immediately after the end of the war in November 2020, Azerbaijan prioritized the rehabilitation and reconstruction of the liberated territories and the restoration of housing, essential services and transportation and communication infrastructure there to ensure the safe return of the displaced population and a high standard of living. We appreciate the assistance of the United Nations and Member States to that effect. Large-scale work is currently under way, since, during the years of occupation, all the captured settlements were completely destroyed and looted.

From its side, Armenia is trying to politicize the engagement of humanitarian actors and interfere in their activities, in clear contravention of international law and the principles of humanitarian assistance. Therefore, the allegation by the Permanent Representative of Armenia of the obstruction and politicization of humanitarian access and the assessment of the humanitarian situation by United Nations agencies is something that Armenia is doing itself to revive and advance the agenda of territorial claims, with absolutely no concern for those in need. It seems that Armenia has still not gotten used to the fact that its policy of aggression and occupation has been put to an end.

The conclusion is self-explanatory. Instead of wasting time and energy on spreading lies and blaming and lecturing others about the principles, values and norms that it has consistently opposed and violated, Armenia must abandon its obsolete and false narratives and prioritize compliance with international law and good-neighbourly relations.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 16, 35, 66, 72, 74, 75 and 85, and of the Security Council.

(Signed) Yashar Aliyev
Ambassador
Permanent Representative

⁵ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26464&LangID=E.