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**Peacebuilding and sustaining peace**

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**Security Council  
Seventy-sixth year**

## **Letter dated 27 September 2021 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General**

In reference to the letter from the Permanent Representative of Armenia dated 13 September 2021 ([A/75/1018-S/2021/791](#)), which is, as always, false and misleading, I would like to bring to your attention the following:

Azerbaijan initiated the closure of the agenda item “The situation in the occupied territories of Azerbaijan” in the General Assembly for the reasons described in our letter dated 2 September 2021 ([A/75/1013](#)). The end of the almost three decades-old Armenian occupation of the sovereign territories of Azerbaijan was a long overdue development demanded by the Charter of the United Nations, international law and justice.

In contrast to what the Permanent Representative of Armenia alleged in his letter, the existence of a situation of occupation, along with Armenia’s role in that occupation and in its prolonged maintenance, have been repeatedly confirmed not only by the General Assembly but also by other United Nations organs and various international and regional organizations. Suffice it to recall just a few examples.

In its resolutions [822 \(1993\)](#), [853 \(1993\)](#), [874 \(1993\)](#) and [884 \(1993\)](#), 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 situation of occupation was recognized also by the Organization for Security and Cooperation in Europe (OSCE) and its Minsk Group.<sup>1</sup>

<sup>1</sup> See, for example, the report of the OSCE fact-finding mission to the occupied territories of Azerbaijan and the letter of the OSCE Minsk Group Co-Chairs to the OSCE Permanent Council on the OSCE Minsk Group fact-finding mission to the occupied territories of Azerbaijan ([A/59/747-S/2005/187](#), annexes I and II); and the report of the OSCE Minsk Group Co-Chairs’ field assessment mission to the occupied territories of Azerbaijan (2011).



Furthermore, in its judgment of 16 June 2015 in the case of *Chiragov and others v. Armenia*, the Grand Chamber of the European Court of Human Rights established that Armenia exercised effective control over the occupied territories of Azerbaijan and thus was responsible for violations of international law in those territories.<sup>2</sup>

In his letter, the Permanent Representative of Armenia passed over in silence the fact that the inclusion of the item “The situation in the occupied territories of Azerbaijan” in the agenda of the General Assembly was previously recommended by the General Committee, with none of its members objecting,<sup>3</sup> and that only one Member State – Armenia – voted against the subsequent decision of the General Assembly on the inclusion of the item in the agenda.<sup>4</sup>

In the following years, between 2005 and 2020, Armenia was the only Member State disassociating from the consensus in relation to the decisions taken by the General Assembly on the inclusion of the item in the agendas of its annual sessions.

Further, while manipulatively calculating the votes in favour and against General Assembly resolution [62/243](#) of 14 March 2008, entitled “The situation in the occupied territories of Azerbaijan”, the Permanent Representative of Armenia deliberately omitted to mention General Assembly resolution [60/285](#), with the same title, which was adopted unanimously on 7 September 2006, again with a single Member State – Armenia – disassociating from the consensus.

The Permanent Representative of Armenia further alleged that the agenda item did little to address the humanitarian situation in the region. This assertion is patently flawed. Thus, in connection with the initiatives put forward under the agenda item, OSCE conducted a fact-finding mission and a field assessment mission to the occupied territories of Azerbaijan in 2005 and 2010, respectively.

The 2005 mission found evidence of the illegal presence of settlers in the occupied territories of Azerbaijan, prompting the Co-Chairs of the OSCE Minsk Group to “discourage any further settlement of the occupied territories of Azerbaijan” and “urge the parties ... to avoid changes in the demographic structure of the region, which would make more difficult any future efforts to achieve a negotiated settlement”.<sup>5</sup>

In their later report, based on a field assessment mission in 2010, the Co-Chairs of the OSCE Minsk Group “observed that many settlements have been renamed with Armenian names or that only Armenian names are used to refer to settlements that previously had Azeri names”, for example, “the city of Agdam, which had as many as 70,000 inhabitants prior to the NK conflict, no longer appears on maps or road signs”. The Co-Chairs urged the parties to “refrain from additional actions that would change the demographic, social or cultural character of areas affected by the conflict ... or would make it impossible to reverse the status quo and achieve a peaceful settlement”.<sup>6</sup>

Furthermore, in its aforementioned resolution [60/285](#), the General Assembly expressed concern at “the fires in the affected territories, which have inflicted widespread environmental damage”. The follow-up OSCE-led environmental assessment mission to the fire-affected occupied territories, conducted from 2 to 13 October 2006, reported, in particular, that “the fires have affected extensive areas

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<sup>2</sup> *Chiragov and others v. Armenia*, application No. 13216/05, European Court of Human Rights (Grand Chamber), 16 June 2015, paras. 180 and 186.

<sup>3</sup> [A/59/250/Add.3](#), para. 4.

<sup>4</sup> See [A/59/PV.46](#), p. 8.

<sup>5</sup> [A/59/747-S/2005/187](#), annex I.

<sup>6</sup> Report of the OSCE Minsk Group Co-Chairs’ field assessment mission to the occupied territories of Azerbaijan surrounding Nagorno-Karabakh (2011), pp. 4 and 7.

along the about 100 km of the line of contact” and that “the fires resulted in environmental and economic damages and threatened human health and security”.<sup>7</sup>

However, despite efforts made by the international community to condemn and discourage illegal activities in the formerly occupied territories of Azerbaijan and address their consequences, such activities continued until the liberation of these territories in 2020. Indeed, Armenia’s main objective was to consolidate and cement its territorial seizures under the cover of the peace process and the ceasefire and to prevent the more than 700,000 Azerbaijani internally displaced persons from returning to their homes. It is, therefore, ironic that Armenia now enthusiastically speaks about the imperative of acting in support of a settlement of the so-called “Nagorno-Karabakh conflict” under the auspices of the OSCE Minsk Group Co-Chairs.

Armenia must reconcile with the fact that the conflict is resolved. Apart from the duties arising under the Charter of the United Nations, international law and the statutory instruments of the relevant regional organizations, to which both Armenia and Azerbaijan are parties, the specific obligations now committing them are those laid down in the statements of the President of the Republic of Azerbaijan, the Prime Minister of the Republic of Armenia and the President of the Russian Federation signed on 9 November 2020 and 11 January 2021.

Today, on the occasion of the first anniversary of the beginning of the Patriotic War, Azerbaijan observes the Day of Remembrance honouring its servicemen and civilians who sacrificed their lives for the liberation of their homeland from the occupation. In his address to the nation, the President of the Republic of Azerbaijan, Ilham Aliyev stated:

“Azerbaijan has restored its territorial integrity. We have resolved the war by military and political means. The war is now in the past. The Nagorno-Karabakh conflict has been consigned to history.”

“From now on, we will live as a victorious country, a victorious people, and we will build and restore the liberated lands. Life is returning to those lands, people are returning. Our main goal today is to provide for this return as soon as possible. I would like to end my appeal with the words that are an integral part of our victory: Karabakh is ours! Karabakh is Azerbaijan!”<sup>8</sup>

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

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

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<sup>7</sup> A/61/696, annex, pp. 2 and 7.

<sup>8</sup> For the text of the address, see [https://azertag.az/en/xeber/Victorious\\_Commander\\_in\\_Chief\\_President\\_Ilham\\_Aliyev\\_addressed\\_the\\_nation\\_on\\_the\\_occasion\\_of\\_the\\_Remembrance\\_Day\\_VI\\_DEO-1886079](https://azertag.az/en/xeber/Victorious_Commander_in_Chief_President_Ilham_Aliyev_addressed_the_nation_on_the_occasion_of_the_Remembrance_Day_VI_DEO-1886079).