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**Culture of peace****Prevention of armed conflict****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-seventh year**

## **Letter dated 10 February 2022 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General**

This month marks the thirtieth anniversary of the largest massacre committed during the aggression of Armenia against Azerbaijan. Over the night of 25–26 February 1992, Armenian forces invading the Azerbaijani town of Khojaly in the former autonomous province of mountainous Garabagh killed 613 civilians, including 106 women, 63 children and 70 elderly persons. Another 1,000 people were wounded, 1,275 residents of the town were taken hostage and 150 went missing.<sup>1</sup>

There are abundant sources, consisting of the documents of international organizations and the findings of independent investigations by foreign journalists,

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<sup>1</sup> For more information, see [A/67/753-S/2013/106](#) (22 February 2013), [A/71/782-S/2017/110](#) (7 February 2017), [A/72/753-S/2018/129](#) (20 February 2018), [A/73/740-S/2019/133](#) (13 February 2019), [A/73/821-S/2019/286](#) (2 April 2019), [A/74/718-S/2020/149](#) (26 February 2020), [A/74/676-S/2020/90](#) (7 February 2020), [A/74/807-S/2020/303](#) (15 April 2020), [A/75/745-S/2021/156](#) (18 February 2021) and [A/75/742-S/2021/279](#) (22 March 2021).



human rights activists and international non-governmental organizations, which report on the gravity of the atrocities in Khojaly.<sup>2</sup>

The official investigation in Azerbaijan established that the specific elements of the crime of genocide, as defined under international law, were present with regard to the attacks on civilians in Khojaly and that the necessary requirements were met for the purpose of sustaining the genocide charges.

The crimes committed in Khojaly were tragically not unique, as civilians in many other cities, towns and villages of Azerbaijan were subjected to similar atrocities throughout the whole period of the conflict. The unlawful targeting of Azerbaijani civilians and peaceful settlements, the taking and holding of hostages, the mistreatment and summary execution of prisoners of war and civilian detainees, ethnic cleansing, the extensive destruction of inhabited areas and civilian infrastructure and the desecration and eradication of Azerbaijani cultural and religious heritage were the methods and means deliberately used by Armenia during the war to achieve and cement its military gains.<sup>3</sup>

The scale of the brutalities is evidenced also by the several thousands of citizens of Azerbaijan who went missing in connection with the conflict in the early 1990s. They number 3,890 people, including 719 civilians. Among the civilians, 71 are children, 267 are women and 326 are elderly persons. They disappeared in circumstances that raise serious concern as to their well-being, particularly given the outrageous cruelty widely practised by Armenian forces. It was established that, among the missing persons, 872 citizens of Azerbaijan were taken either as prisoners of war or hostages, including 605 servicemen and 267 civilians, of whom 29 are children, 98 are women and 112 are elderly persons.<sup>4</sup> For almost 30 years of war and occupation of the territories of Azerbaijan, Armenia refused to account for the missing persons or to conduct investigations into their fate.

Despite a ceasefire established in 1994, Armenian forces continued attacking Azerbaijani civilians residing on the other side along the so-called line of contact. Thus, between May 1994 and September 2020, 31 Azerbaijani civilians were killed

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<sup>2</sup> 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#](http://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; and Laurence Broers, *Armenia and Azerbaijan: Anatomy of a Rivalry* (Edinburgh University Press, 2019), p. 37.

<sup>3</sup> For more information, see [A/74/676-S/2020/90](https://www.un.org/press/en/2020/02/20200207a74676-s202090) (7 February 2020).

<sup>4</sup> State Commission of the Republic of Azerbaijan on Prisoners of War, Hostages and Missing Persons, [www.human.gov.az/en/view-page/27/%C6%8FS%C4%B0R,%20G%C4%B0ROV%20V%C6%8F%20%C4%B0TK%C4%B0N%20D%C3%9C%C5%9EM%C3%9C%C5%9EL%6%8FR#.YgU6Od\\_MLIU](https://www.human.gov.az/en/view-page/27/%C6%8FS%C4%B0R,%20G%C4%B0ROV%20V%C6%8F%20%C4%B0TK%C4%B0N%20D%C3%9C%C5%9EM%C3%9C%C5%9EL%6%8FR#.YgU6Od_MLIU).

and 69 injured, and widespread damage was caused to homes, schools, hospitals and other civilian objects.<sup>5</sup>

The resumption of hostilities in the fall of 2020 was the direct consequence of Armenia's disregard for international law and the relevant Security Council resolutions, consistent obstruction of the peace process, attempts to colonize the occupied territories of Azerbaijan, inflammatory and warmongering statements and repeated provocations on the ground.

This time again, Armenia remained true to its profound contempt for the laws and customs of war, directly or indiscriminately attacking Azerbaijani civilians and targeting the densely populated areas in Azerbaijan outside the conflict zone with no military objectives, using heavy explosive weapons and internationally banned cluster bombs, and indiscriminately planting landmines in civilian areas.

The frequency and timing of the attacks, including in particular a series of ruthless night-time missile strikes on the residential areas in the cities of Ganja and Barda, reveal the clear intent and purpose to cause the greatest possible casualties among the civilian population.<sup>6</sup>

In total, between 27 September and 9 November 2020, 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. There are also documented instances of executions of captured Azerbaijani servicemen, the desecration of the bodies of dead Azerbaijani soldiers and the torture or mistreatment of Azerbaijani military while in Armenian captivity. In addition, after the cessation of hostilities and the conclusion of the war, 36 citizens of Azerbaijan were killed and 165 injured by landmines.

The territories of Azerbaijan liberated from occupation provide compelling evidence as to the range, variety and consistency of Armenia's violations of international law. The scale of destruction, vandalism and looting is shocking and unprecedented. Moreover, mass graves of civilian victims were found in these territories.<sup>7</sup>

Armenia continues to deny its responsibility for numerous war crimes committed by its forces, agents, officials and other persons under its direction and control and refuses to prosecute and punish the perpetrators and to offer an appropriate remedy or redress for its breaches. This position is not accidental, given that the Armenian authorities invented the outrageous concept of "ethnic incompatibility" and repeatedly made ultra-racist statements, advancing the notion of

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<sup>5</sup> See, for example, [A/71/973-S/2017/585](#) (7 July 2017); [A/72/725-S/2018/77](#) (1 February 2018); Office of the United Nations High Commissioner for Refugees Azerbaijan, "Assessment mission report: populations affected by the violence on the line of contact in April 2016" (15 May 2016); Parliamentary Assembly of the Council of Europe, "Escalation of violence in Nagorno-Karabakh and the other occupied territories of Azerbaijan", report of the Rapporteur of the Parliamentary Assembly of the Council of Europe, Mr. Robert Walter (11 December 2015), paras. 109 and 121; International Crisis Group, "Preventing a Bloody Harvest on the Armenia-Azerbaijan State Border", Europe Report No. 259, 24 July 2020, p. 3; Entrepreneurship Development Fund of Azerbaijan, "Damage caused by Armenia's shelling of Tovuz and civilians is being investigated" (23 July 2020), available at <http://edf.gov.az/en/news/2623>; APA, "Prosecutor General: '398 Azerbaijani servicemen and 31 civilians killed as a result of Armenian provocation during ceasefire period'" (3 October 2020), available at <https://apa.az/en/azerbaijan-army-azerbaijani-armed-forces/Prosecutor-General:-398-Azerbaijani-servicemen-and-31-civilians-killed-as-a-result-of-Armenian-provocation-during-ceasefire-period-331966>.

<sup>6</sup> See, for example, [A/75/660-S/2020/1267](#) (22 December 2020).

<sup>7</sup> See [A/75/864-S/2021/412](#) (28 April 2021) and [A/75/875-S/2021/433](#) (14 May 2021).

Armenian superiority and calling all Azerbaijanis a “nomadic tribe” with no historical or cultural ties to their lands.

The 44-day war in autumn 2020 put an end to Armenia’s policy of aggression, occupation and ethnic cleansing. It is critically important that the international community insist on the accountability for the heinous crimes committed against the Azerbaijani civilians during the war, as required under the international law of State responsibility, international humanitarian law, international human rights law and international criminal law. Such accountability must be an inevitable consequence of the offences committed and an essential prerequisite on the path to lasting peace and reconciliation.

Azerbaijan is determined to continue efforts towards ensuring justice and preventing and eliminating by all available means, in accordance with its Constitution and legislation as well as the Charter of the United Nations and international law, any threats to the safety and well-being of its people and the State’s sovereignty and territorial integrity.

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, 85 and 134, and of the Security Council.

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

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